

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70344 of 2019

Arising Out of PS. Case No.-94 Year-2019 Thana- BHITAHA District- West Champaran

CHANDRIKA PRASAD @ CHANDRIKA PRASAD GOND Son of Mishri
Gond Resident of Village - Jangal Naugawa, P.S.- Padrauna, Distt.- Kushi
Nagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Bhitaha P.S. Case No. 94 of 2019, registered under Sections 379
and 411 of the Indian Penal Code and 4 and 40 of the Bihar
Mining and Minerals Act, 1972.

The accusation is that in course of patrolling duty one
tractor was seen, attached with trolley loaded with sand. On
giving the signal to stop the tractor, the driver of the tractor
succeeded to flee away by parking the tractor inside the road.
On search of the trolley attached with the tractor was found
filled with illegal extracted sand.

Submission is that petitioner is the owner of the



tractor, which was being driven by Amrendra Rai. On the date of occurrence the driver of the tractor had gone outside for agricultural purpose, but, behind the petitioner, who is the owner of the tractor, driver loaded the sand. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bhitaha P.S. Case No. 94 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Bagaha, West Champaran, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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