

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80566 of 2019

Arising Out of PS. Case No.-273 Year-2019 Thana- BARUN District- Aurangabad

Deepak @ Deepak Kumar S/o Indrajeet Singh R/o village- Sahaspur (Jhumar Dihra), P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in a case registered for the offence under sections 379, 411 and 34 of the Indian Penal Code, sections 11 and 56 of the B.M.C.R Act and section 15 of E.P Act.

As per the allegation in the FIR, a raid was conducted and a number of vehicles as also persons were caught red handed in illegal mining of sand. One of the motorcycles seized at the place of occurrence is said to belong to the petitioner.

It is submitted by learned counsel for the petitioner that the allegation against the petitioner is false and concocted. He has no concern with the illegal mining and he has been roped in in the case only on the basis of suspicion when his bike was



seized by the informant while it was parked near the sand ghat. It is submitted that the petitioner has no criminal antecedent and a number of co-accused have been enlarged on bail vide order dated 16.12.2019 passed in Cr. Misc. no. 82997 of 2019 and order dated 13.2.2020 passed in Cr. Misc. no. 81555 of 2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has no criminal antecedent and a number of co-accused have been enlarged on bail, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Barun P.S. Case no. 273 of 2019 is directed to be enlarged 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 learned Chief Judicial Magistrate, Aurangabad subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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