

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31247 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- HULASGANJ District- Jehanabad

SANJAY SHARMA, Son of Ram Vachan Sharma, Resident of Village-
Kewla, P.S.- Hulasganj in the District of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-04-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379, 420, 411/34 of the Indian Penal Code.

Informant, who is District Mining Officer, Jehanabad has alleged that on 21.05.2020 at about 4:15 P.M. during patrolling, the S.H.O. caught a tractor loaded with sand near Middle School, Bauri, and asked for Challan but no Challan was produced thereafter seizure list was prepared. The driver of the tractor disclosed his name as Ranjit Yadav and also disclosed the name of owner of the Tractor Sanjay Sharma (petitioner) and Deepak Sharma.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case being the owner of the seized Tractor. It has been further submitted that tractor was driven by the driver and petitioner has no concern about the alleged sand which was loaded by driver for transport on payment. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Hulasganj P.S. Case No. 67 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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