

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32177 of 2020

Arising Out of PS. Case No.-338 Year-2020 Thana- BANKA District- Banka

Hasib Ali, S/o Md. Jaharuddin, R/o- Vill.- Babu Tola, P.S.- Banka and District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Banka P.S. Case No. 338 of 2020, registered under Sections 379, 411, 188, 269, 270, 271, 290 and 291 of the Indian Penal Code, Section 56 of the MMDRA Act, Section 21 of the Environment Protection Act, 1986 and Section 19 of the Covid Act.

The accusation is that in course of raid by the Mines Department, two tractors attached with trailer were seen, in which, sand was being loaded. Thereafter, signal was given to stop then the driver of both tractors succeeded to flee away leaving the tractors. On



search, 50 CFT sand loaded on the tractor bearing registration no. BR10J 7322 50 CFT was found, which belongs to the petitioner.

Learned counsel appearing for the petitioner submits that, in fact, the tractor of the petitioner was parked inside the road at the bank of river and on seeing the raiding party, the petitioner, who is the driver of the tractor bearing registration no. BR10J 7322, fled away from there. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 338 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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