

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34858 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

Gobardhan Singh, Son of Chhatu Singh, Resident of Village- Chandi No. 1,
P.S.- Akorhigola, District- Rohtas, Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

3 27-04-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Sasaram (M) P.S. Case No. 104 of 2020, registered under
Sections 379 and 411 of the Indian Penal Code.

The accusation is that in course of patrolling duty,
informant and other police personnel reached, at 8.30 P.M., at
Khanda, then a tractor attached with trailer loaded with sand
was seen. On seeing the police party, the driver of the tractor
fled away leaving the tractor attached with trailer. On
verification, the tractor attached with trailer was found loaded
with sand and the registration number of the said tractor has
been removed, while Engine No. S-33403244 of Massey



Ferguson 1134 DI is detailed.

Learned counsel for the petitioner submits that, in fact, petitioner is the driver of the said tractor attached with trailer loaded with sand and on the instruction of owner of the tractor, namely, Rita Devi, sand was being carried to her house for construction work. It is further submitted that co-accused, Rita Devi, owner of the said tractor, has already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 28.01.2021 passed in Criminal Misc. No. 28139 of 2020. 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, Rohtas at Sasaram, in connection with Sasaram (M) P.S. Case No. 104 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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