

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1841 of 2021

Arising Out of PS. Case No.-32 Year-2019 Thana- JAIPUR District- Banka

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TINKU HANSDA SON OF LADO HANSDA RESIDENT OF VILLAGE -
GADIJHOPA, P.S. - SARAIYAHAT, DISTRICT - DUMKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-07-2021 Heard Mr. Dhananjay Kumar Pandey, learned

counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Jaipur P.S. Case No. 32/2019

instituted for the offences under Sections 379/411 of the

Indian Penal Code, Section 4/40 of the BMMC Rules, 1972

and Section 4/21(i), 21(4A) of MMDR Act, 1957.

The petitioner is said to be the driver of a tractor

which was found to be loaded with sand which had been

illegally extracted.

Learned counsel for the petitioner has submitted

that he was only executing the orders of the owner of the



tractor. The owner of the tractor has deposited the fine and has been released on bail. So far as the petitioner is concerned, he had no knowledge that without obtaining permit, the owner of the tractor had asked him to load the vehicle with sand.

Regard being had to the fact that the owner of the tractor has already been released on bail after depositing the amount of loss as computed by the prosecution, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Jaipur P.S. Case No. 32/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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