

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2740 of 2021

Arising Out of PS. Case No.-117 Year-2020 Thana- HULASGANJ District- Jehanabad

1. PAPPU KUMAR @ PAPPU SHARMA Son of Rajendra Singh Resident of Village - Lodipur, P.S.- Hulasganj, Distt.- Jehanabad. (Bihar)
2. DILIP KUMAR @ DILIP SINGH Son of Dinesh Singh Resident of Village - Lodipur, P.S.- Hulasganj, Distt.- Jehanabad. (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-07-2021 Heard Mr. Shiw Kumar Prabhakar, learned Advocate for the petitioners and the learned APP for the State.

Mr. Shiw Kumar prabhakar, learned Advocate for the petitioners seeks permission to withdraw the application with respect to petitioner no. 1 who has been arrested.

The petition with respect to petitioner no. 1 is dismissed as withdrawn as having become infructuous.

The petitioner no. 2 (Dilip Kumar @ Dilip Singh) seeks bail in anticipation of his arrest in connection with Hulasganj P.S. Case No. 117 of 2020 dated 09.09.2020 instituted for the offences under Sections 379, 420, 411 and 34 of the Indian Penal Code.



The accusation against the petitioner no. 2 is of having participated in unauthorized extraction and loading of sand.

Learned counsel for the petitioner has submitted that the prosecution of the petitioner no. 2 is only the basis of a stray statement made by the local Chowkidar. Neither the seized item nor the vehicle in question belongs to the petitioner. Merely on suspicion, the petitioner no. 2 is being prosecuted in this case.

Regard being had to the aforesaid facts and taking into account that never in the past, the petitioner no. 2 has been made accused in any criminal case, he 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 his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Hulasganj P.S. Case No. 117 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petition stands disposed off accordingly.

(Ashutosh Kumar, J)

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