

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6432 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- ADHAOURA District- Kaimur (Bhabua)

JABIR MIYAN @ GUDDI MIYAN @ GUDDU MIYAN, Son of Saraful
Miyan, Resident of Village- Tala, P.S.- Adhaura, Distt- Kaimur (Bhabua)
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Sunil, Adv.

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Kumar Sunil, learned Advocate for the
petitioner and Mr. Sanjay Kumar Pandey, learned Additional
Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Adhaura P.S. Case No. 70 of 2020 dated
09.09.2020 instituted for the offences under Sections 414 of the
Indian Penal Code and 33 and 42 of the Indian Forest Act, 1927.

Seventeen bags of Tendu leaves were found loaded on
a pick-up van. The driver and the khalasi of the aforesaid
vehicle disclosed that the Tendu leaves belonged to the
petitioner.

The owner of the vehicle is some body else.

Learned counsel for the petitioner has submitted that
except for the confession of the driver and the khalasi of the
vehicle from where Tendu leaves were recovered, there is no



other material to connect the petitioner with the offence. There is nothing on record to indicate the ownership of the aforesaid Tendu leaves with the petitioner.

Regard being had to the aforestated facts and taking into account his clean antecedent, the petitioner is directed to be released on bail, in the event of his arrest or surrender before he Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bond in the sum of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Adhaura P.S. Case No. 70 of 2020 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Ashutosh Kumar, J)

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