

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3575 of 2022

Arising Out of PS. Case No.-134 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

BHUTTO KUNWAR @ RAJESH KUNWAR @ RAJESH KUMAR S/o
Yadunandan Kumar @ Yadunandan Kunwar R/o Village- Jhandapur, P.S.-
Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Sections 341, 323, 504, 307, 353, 223,

147 and 149 of the Indian Penal Code and Section 56(2) of

Bihar Mineral (Concession) Prevention of Mining

Transportation and Storage Act, 2019, registered in connection

with Industrial Area P.S.Case No. 134 of 2021.

The informant, who is Mining Inspector, stopped the

tractor which was overloaded with stone chips. The allegation



is that when the informant demanded challan from the tractor driver, he called the accused persons, who badly assaulted the informant.

The learned counsel for the petitioner has submitted that the FIR itself shows that the accused persons were without any arms, whereas the informant, who is Mining Inspector, was escorted by the security personnel. The injuries are simple in nature and co-accused Gulshan Ray @ Gulshan Kumar Ray has been granted anticipatory bail by this Court in Cr.Misc. No. 3722 of 2022.

Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Industrial Area P.S.Case No. 134 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C. **The petitioner shall remain physically present before the court below on each and every date till framing of charge.**

Office shall ensure that all defects are removed by



the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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