

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4666 of 2022

Arising Out of PS. Case No.-305 Year-2017 Thana- GHOSI District- Jehanabad

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ARVIND SHARMA @ ARVIND KUMAR, Son of Late Brij Nandan Sharma,
Resident of Village-Parawan, P.S.-Ghosi, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant (District Mining Officer, Jehanabad) alleges that on 08.11.2017, he along with other officers reached village Parwan for inspection where he saw a tractor laden with sand coming towards the inspecting team, it is next alleged that driver of the tractor was asked to show receipt with respect to the sand on which driver showed a receipt of Bansidhar Construction Private Limited which had no sign of any authorised person, accordingly it is alleged that the



sand was stolen which caused loss to the government revenue, it is further alleged that the driver of the tractor also disclosed that the invoice has been issued by the clerk of Godiha Balughat.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and his name transpired in the case in the year 2020 whereas the FIR was instituted in the year 2017, it is also submitted that petitioner is neither clerk nor has ever worked with Banshidhar Construction Private Limited. Learned counsel further submits that it appears that in order to save the real culprits, the police during investigation falsely implicated the petitioner as his name transpired in the third supervision report of the Dy.S.P.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it may be possibility that process under Section 82 Cr.P.C. might have been issued against the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ghoshi P.S. Case No. 305 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify whether any process under Section 82 Cr.P.C. has been issued against the petitioner or not, in the event, if any process under Section 82 Cr.P.C. has been issued against the petitioner, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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