

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9462 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- BEERPUR District- Begusarai

MRITUNJAY BHARTI Son of Bhuneshwar Singh Resident of Village -
Pawra Dhav Ward No.4, Bhawanandpur, P.s.- Birpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2022 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 341, 353, 379, 411 and 34 of the Indian Penal Code read with Section 21 B.M. of the (C.P. of I.M.T.R.S.) A. Rule 2021 & Mines and M (D & R) Act, 1957 and 56(1) & (2) B.M.C.P. of I.M.T.P. & S.2021 and 15 E. Act, 1956

The informant alleges that a tractor loaded with 100 C.F.T. sand was caught and the driver disclosed that the sand was to be transported to the brick kiln of Arvind Kumar, further alleges that brick kiln owner along with 50 accused forcefully took the tractor to the kiln and while the tractor



after unloading the sand was escaping, the same was apprehended by the police.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and from perusal of the allegations as alleged in the F.I.R. it would manifest that the petitioner is the owner of the tractor which was hired by Arvind Kumar who is owner of the brick kiln as such petitioner was completely unaware that his tractor would be misused for such an illegal purpose, further the F.I.R. does not even remotely suggests that the petitioner in any manner was involved in the occurrence. Learned counsel submits that petitioner is a differently-abled person suffering disability of 50% as would be evident from Annexure-2 the anticipatory bail application.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of 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. 5,000/- (Rupees Five 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 Birpur P.S. Case No. 150 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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