

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12309 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- KHIJARSARAI District- Gaya

Satish Kumar Son of Ganesh Prasad Resident of Village - Jolah Bigha, P.s.-
Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 09-05-2022 Heard both parties.

The petitioner seeks bail in Khizersarai P.S. Case No. 309 of 2021, registered for the offence punishable under Sections 379, 411 and 420 of the Indian Penal Code and MMDR Act 1957 Rule 21 and BM(CPIMTS) Rule 2019 and BM(CPIMTS) Amendment Rule, 2019, section 11, 18 and section 56.

As per the prosecution case, a truck loaded with 750 Cft. of stone dust with fake challan was seized of which this petitioner was driver and apprehended on the spot.

It is submitted on behalf of the petitioner that petitioner being driver was not aware about the nature of consignment and simply following the instruction of owner and has got no knowledge that the challan handed over to him is



forged one. It is further submitted that whatever loss suffered by the Mining Department has already been compensated by the owner of the vehicle by depositing Rs., 2,79,900/- in the office of Mining Department, Gaya (Photo copy of letter no. 16 dated 03.01.2022 is annexed to the petition as Annexure-2). Petitioner claims clean antecedent and he is in custody since 17.10.2021. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 4th, Gaya in connection with Khizersarai P.S. Case No. 309 of 2021.

(Prabhat Kumar Singh, J)

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