

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44272 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- PARWALPUR District- Nalanda

MITHLESH CHAUHAN S/o Brahamdev Chauhan R/o village- Noniabigha,
P.S.- Tharthari, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramji Kumar, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-04-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 379, 188, 411 of the Indian Penal Code.

The allegation against the petitioner is that he is the owner of the tractor, which was seized with illegal sand loaded on it. The driver was apprehended on the spot and he could not show the license of the sand, tractor or either his driving license.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case only on the basis that he is the owner of the tractor. Petitioner has neither been apprehended on the spot nor any recovery has been made from his conscious physical possession. There is no specific allegation against the petitioner. Petitioner has three criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Parwalpur P.S. Case No.82/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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