

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42837 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

VIVEKANAND MANDAL Son of Sita Ram mandal Resident of Village -
Birnya, Police Station- Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 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 379 and 411 of the Indian Penal Code.

The informant alleges that Santosh along with a tractor laden with sand 17,850 sq. ft. were apprehended causing loss of Rs. 9,44,975/- along with fine of Rs. 10,000/- was caused to the informant, it is next alleged that on enquiry villagers disclosed that Shambhu and named accused are involved in the occurrence.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner was not arrested from the spot nor the alleged tractor belongs to



the petitioner, it is further submitted that the FIR also does not disclose as to what kind of enquiry was conducted by the informant so soon that he came to know that it was the petitioner along with others who were involved in the occurrence. Learned counsel next submits that it amply demonstrates that efforts have been made to save the real culprits.

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 trial court 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 trial court where the case is pending/successor court in connection with Jagdishpur P.S. Case No. 66 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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