

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63432 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- NATWAR District- Rohtas

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Santosh Kumar @ Surya Kant Kumar @ Surya Kant, S/o Karmu Thakur R/o
village- Dihra Lakh, P.S.- Obra, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 05-01-2022 This bail application is taken up out of turn for
hearing as the father of the applicant has died on 26.12.2021.

The applicant/accused in Crime No. 52 of 2021 registered with Natwar Police Station for the offences punishable under Sections 379, 411, 413 and 414 read with Section 34 of the Indian Penal Code as well as Sections 56(i) and 56(ii) of the Bihar Minor Mineral Concessions Rules, 2019, Section 15 of the Environmental Protections Act and Sections 52, 33, 41 and 42 of the Indian Forest Act, by this application is seeking his release on bail during the pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He submits that the charge sheet has already been filed and the applicant has undergone pretrial detention for more than five and half months. It is further



argued that the applicant was only driving the truck owned by somebody else in the capacity as a driver.

The learned Additional Prosecutor opposed the application by contending that the applicant has failed to show the receipt and he was found to be carried 900 CFT stones.

I have considered the submissions so advanced and also perused the material placed before me.

After conclusion of the investigation and filing of the charge sheet, there is no point in further pretrial detention of the applicant and therefore, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 52 of 2021 registered with Natwar Police Station be released on bail on executing P.R. bond of Rs.25,000/- (Rupees Twenty Five Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.



(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Bhardwaj/-

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