

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68870 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- HASPURA District- Aurangabad

Nikhil Kumar, Son Of Krishna Singh Resident Of Village - Bihta, P.S.-
Haspura, District - Aurangabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh- Sr. Advocate
		Mr. Pramendra Kumar Singh- Advocate
For the Opposite Party/s :		Mr. Atul Chandra- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2022 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 147,
149, 341, 342, 323, 332, 353, 379 and 504 of the Indian Penal
Code.

The learned senior counsel for the petitioner submits
that the petitioner has antecedent of two cases and the informant
alleges that on information being received about the illegal
mining, the informant informed the Mining Officer and
accordingly, reached the place of occurrence where a tractor was
seized. It is next alleged that while the police force was bringing
the tractor laden with sand, they were surrounded by the



villagers including Nikhil Kumar. It is next alleged that on orders of Nikhil Kumar, his brother Navnit Kumar forcefully snatching the tractor after unloading the sand and fled away.

The learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that the tractor does not belong to the petitioner as stated in Para-9 of the anticipatory bail application. It is further submitted that when petitioner has no concern with the tractor why he would indulge in such an act. It is further submitted that from perusal of the F.I.R., it would also manifest that at the place of occurrence, no one was seen, nor no one was apprehended. It is further submitted that the informant, for reason best known, has falsely implicated the petitioner.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned senior 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below



where the case is pending in connection with Haspura P. S. Case No.177 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C., subject to condition that one of the bailors shall be the father of the petitioner namely, Krishna Singh.

The application stands allowed.

(Satyavrat Verma, J)

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