

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14108 of 2023

Arising Out of PS. Case No.-162 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

Sumit Kumar Son Of Kanhaiya Prasad R/V- Mahamud Nagar, Ward No.-1
Koluharwa, P.S.- Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard learned senior counsel for the petitioner as
well as learned Additional Public Prosecutor for the State.

Learned senior counsel for the petitioner seeks
permission to make necessary correction in Para-1 of the bail
application within course of the day.

Petitioner apprehends his arrest in connection with
Industrial Area P.S. Case No. 162 of 2022 registered for the
offences punishable under Sections 379 and 411 of the Indian
Penal Code and sections 56(1) 56(2) of Bihar Mines Minerals
Concession Rule 2019.

As per the prosecution case, the driver overloaded
½” Gitti in a truck and failed to produce any challan. Petitioner
is owner of the said truck.

Learned senior counsel for the petitioner submitted



that petitioner has falsely been implicated in this case. Learned senior counsel for the petitioner is submitted that petitioner is owner of the said truck and he deposited fine of Rs.3,39,454/- in the concerned department annexed as Annexure-2 to the bail application and statement is also made in Para-10 of the bail application. It is further submitted that petitioner has clean antecedent as stated in para-3 of this application.

Learned APP for the State opposes the bail prayer.

Considering the deposited amount in the concerned department as well as submissions of the parties, let the above named petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) each with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate, 1st class, Bhagalpur in Industrial Area P.S. Case No. 162 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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