

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29599 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- BIHAR District- Nalanda

=====

Pappu Kumar Son of Krishna Prasad Resident of village - Nakatpura, P.S. - Bihar, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bihar PS Case No. 510 of 2022, dated 08-07-2022 registered for the offence punishable under Sections 420, 379 and 411/34 of the Indian Penal Code.

3. There is allegation that several accused persons have stored illegally mined sand with a view to its illegal trade. One Balle Yadav & Pritam Kumar has been apprehended from the place where some illegitimate sand was allegedly stored. Balle Yadav has named the two persons, including the petitioner who, as per his statement, are also indulging in illegal trade of sand.

4. It is submitted by the petitioner's counsel that on



statement of co-accused the petitioner is apprehending his arrest whereas there is no recovery from him nor he has been found to be at the place from where the sand was allegedly stored. He has been implicated in similar manner in another case namely Bihar PS Case No. 429 of 2017.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, the fact that no recovery is attributed to the petitioner and his implication merely on statement of co-accused, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Bihar Sharif, Nalanda in connection with Bihar PS Case No. 510 of 2022, dated 08-07-2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:



(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

