

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45900 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

Chitranjan Yadav S/O Bharat Yadav R/O Village- Ramdeeh Saray, P.S-
Baskhari Ambedkar Nagar, Distt.- Azamgarh, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Kudra P.S. Case No. 145 of 2023, registered on 02.05.2023, for the alleged offence under Sections 420, 467, 468, 471, 379, 411 of the Indian Penal Code.

03. As per prosecution case, the vehicle of the petitioner was seized carrying illegal sand over it and even the challan of the transport department was found to be forged. The driver of the vehicle was apprehended from the spot.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is having no criminal antecedent. The petitioner has been made accused in this case because he is the



owner of the offending vehicle. However, the petitioner was having no knowledge and it was the driver who was involved, still the petitioner deposited a fine of Rs. 2,75,969/- in the Mines and Geology Department towards penalty of fine related to sand in question. The petitioner also undertakes to co-operate with the investigation to be made by the police. The petitioner has also paid the fine to the concerned District Transport Officer.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail submitting that the truck of the petitioner was found carrying sand illegally mined and it was being carried with a forged challan.

06. Having regard to the facts and circumstances and submission made on behalf of the parties, it appears that the petitioner has deposited the penalty of fine in the Mines and Geology Department and he undertakes to co-operate with the investigation, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua/concerned court in connection with Kudra P.S. Case No. 145 of 2023, subject to



the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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