

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50399 of 2022

Arising Out of PS. Case No.-100 Year-2016 Thana- JOKIHAT District- Araria

SAD AHMAD BABLOO @ SHAD AHMAD SON OF AZAZ AHMAD R/O
VILLAGE- BELWA, P.S.- ARARIA (BAIRGACHHI), DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 353, 379, 504 and 506 of the Indian Penal Code and 40 of the Mines and Mineral (Development and Regulation) Act.

As per the prosecution case, the police saw four tractors involved in illegal excavation of sand from the river. Upon inquiry, the tractor drivers called their owner, (petitioner herein), who came and without giving any satisfactory answer to



the police, took the tractors with him.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The similar situated accused person namely Minhaj @ Minhaj Alam was granted anticipatory bail by the Co-ordinate Bench vide order dated 08.08.2022 passed in Cr. Misc. No. 7725 of 2022. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances as well as the material available in the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Jokihat P.S. Case No. 100 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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