

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60050 of 2023**

Arising Out of PS. Case No.-98 Year-2021 Thana- CIVIL LINE District- Gaya

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Pramod Kumar S/O Karu Chaudhary, R/O Vill - Chhotaki Nawada Near Loco Colony, P.S. - Delha, Distt. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 11-10-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Gaya Civil Lines P.S. Case No. 98 of 2021 dated 24.02.2021, registered for the offences punishable under Sections 323, 341, 307, 379, 414, 353, 504 and 506/34 of Indian Penal Code.
3. The main submissions advanced by learned counsel for the petitioner are that the petitioner is not named in the FIR, during the course of investigation his name surfaced as driver of one of the alleged tractors and as per the allegation three tractors were found to be indulged in transportation of sand illegally and several persons are alleged to have committed the alleged offences with the police officials and petitioner has been dragged mainly on account of he being driver of one of the alleged tractors and in the alleged occurrence, not a single person sustained injury and the

alleged offences of FIR are not made out against the petitioner who has fair and clean antecedent. It is further submitted that one co-accused namely, Sunita Devi, who happens to be the owner of one of the alleged tractors, has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 13.06.2022 passed in Cr. Misc. No. 1466 of 2022.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and also the nature of allegation, in my opinion, petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail in connection with **Gaya Civil Lines P.S. Case No. 98 of 2021** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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