

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59650 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- IMADPUR District- Bhojpur

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PAPPU SINGH @ RAJESH KUMAR Son of Sudarshan Singh Resident of
Village- Bihta, P.S.- Imadpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-02-2023 Heard Mrs. Rina Sinha, learned counsel for the

petitioner and the State.

The petitioner apprehends his arrest in connection with
Imadpur P.S. Case No. 41 of 2022 instituted under Sections 147,
148, 149, 341, 307, 353, 379, 386 of the Indian Penal Code.

As per the FIR, the police on patrolling got information
that a tractor has entered Son-Diara for illegal transportation of
sand without any registration number. The tractor driver on the
sight of police, successfully escaped. Later, this petitioner along
with some named and some unnamed persons armed variously
came and pelted stones. Left with no option, the police had to flee
away from the place of occurrence.

Learned counsel for the petitioner submits that he is
neither the owner of the tractor nor anything to do with said illegal



transportation but police gave his name along with host of other persons. Further, he is ready to abide by all the terms and conditions and irrespective of the outcome of the present case would like to give Rs. 10,000/- to the Chief Minister's Relief Fund through Demand Draft issued by the State Bank of India local branch.

Learned APP on the other hand opposes the prayer of bail.

Taking into account the fact that omnibus allegation is there against the petitioner, FIR has been lodged and ultimately he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 10,000/- as stated above.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Imadpur P.S. Case No. 41 of 2022 to the satisfaction of learned C.J.M., Bhojpur, Ara, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with further conditions :

(i) one of the bailor should be the family member of the



petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ajay Singh/-

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