

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65475 of 2022

Arising Out of PS. Case No.-372 Year-2022 Thana- NAUBATPUR District- Patna

SONU KUMAR S/o Nand Kishore Singh R/o Village- Kurthaul Gopal Chuk,
P.S.- Parsa Bazar, Distt- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Naubatpur P.S. Case No. 372 of 2022 for the offence registered under sections 379 and 414 of the Indian Penal Code lodged on 11.06.2022 by the informant, Om Prakash Ram.

As per the prosecution story, upon secret information police personnel on patrolling duty reached near village- Pitbansh and saw illegal mining of sand was being done. Four tractors were standing there and labourers were loading sand on tractors. It was further alleged that after seeing the police, some labourers fled away but one of them was apprehended. Accordingly, the FIR.

Learned counsel for the petitioner submits that he is owner of the tractor and is having agriculture land beside the place of occurrence, the tractor being driven by driver, he had no role to play in the matter. The last submission is that the



allegation is of theft of sand but no such section under Mining Act is present in the case in hand.

Learned APP although opposes the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, the petitioner being the owner of the tractor, was not present at the place of occurrence and this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IIIrd Danapur, Patna in connection with Naubatpur P.S. Case No. 372 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Neha/-

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

