

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70687 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- MADANPUR District- Aurangabad

Vikki Kumar Singh Son Of Sanjay Kumar Singh Resident Of Village- Anjan,
P.O- Nima Anjan P.S -MADANPUR, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, tractor of the petitioner loaded with illegal sand was seized by the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is made accused in the present case because he is the owner of the said tractor which was seized by the Police and driver of the said tractor was apprehended on the spot. He submits that there is no specific overt act against the petitioner. He further submits that there is



no any independent witness in this case who has supported the allegation. He submits that the driver of the tractor purchased sand from stockist only 20 bag for the personal use but stockist did not give any purchase receipt to the driver of tractor. He further submits that the petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, 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, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Madanpur P.S. Case No.310 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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