

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68090 of 2022

Arising Out of PS. Case No.-79 Year-2016 Thana- DEHRI TOWN District- Rohtas

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MUKESH SAH SON OF KUNWAR LAL SAH R/O VILLAGE-
KANCHANPUR, P.S.- SASARAM (M), DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uma Shankar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 379, 411 of the IPC & 4(1-A), 21
(i) D.E. Act, 40(1) B.M.M.C. Rules and 33, 41, 42 Forest Act.

Allegedly, two trucks were seized loaded with illegal
stone chips and two persons were arrested from the spot.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. It is
submitted that name of petitioner transpired in this case on the
basis that he is the owner of one of the alleged vehicle. He had
specifically directed his driver not to load any incriminating
article on the vehicle and he has no role in the alleged offence.



Petitioner has no criminal antecedent and similarly situated co-accused has been granted anticipatory bail by co-ordinate Bench of this Court vide order dated 18.11.2022 passed in Cr. Misc. No.30410 of 2022.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dehri (Nagar) P.S. Case No.79 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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