

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19327 of 2024

Arising Out of PS. Case No.-438 Year-2022 Thana- RAJAON District- Banka

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Roushan Kumar Son of Sanjay Kumar @ Faudari Yadav, Resident of Village-
Chaksafiya P.S.- Raoun Dist- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate.

For the Opposite Party/s : Mr. Dinesh Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rajoun P.S. Case No.438 of 2022 instituted under Sections 379, 411 of the Indian Penal Code and MMRD Act 1957 Rule (4) BMCPIMTS Rule 2019, 11 41(2) and 15 NGT Act.

3. As per the prosecution case, on secret information the police personnel intercepted a Tractor bearing Chasis No.WZTG284281344198 loaded with 199 CFT Sand. On seeing the police personnel the driver and owner of the seized vehicle fled away leaving the vehicle on spot and no one came to produce the Challan regarding the loaded sand on the aforesaid vehicle.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case due to village politics. He further submits there is general and omnibus allegation against the petitioner. Learned counsel submits that the loss/ fine amount has already been deposited on behalf of the petitioner being owner of the alleged vehicle. He further submits that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No.438 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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