

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53896 of 2024**

Arising Out of PS. Case No.-49 Year-2024 Thana- PIRO District- Bhojpur

Kulbansh Singh S/o Bideshwari Singh Resident Of Village West Englishpur  
Baluta Police Station Piro District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      28-08-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Piro P.S. Case No. 49 of 2024 dated 11.02.2024, instituted for  
the offence punishable under Sections 379, 411/34 of the Indian  
Penal Code.

3. The allegation against the petitioner is that the  
petitioner is the owner of recovered white blue coloured Swaraj  
tractor which was over loaded with sand without having any  
registration number.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in this  
case. It is submitted that the petitioner purchased white blue  
coloured Swaraj tractor on 05.02.2024 and the same was



registered after depositing the registration charge in the office of DTO and the said occurrence took place on 11.02.2024. At the time of occurrence the registration number was not supplied by the DTO office. It is submitted that the police party falsely implicated the petitioner and also seized the said vehicle without confirming its validity of purchase. It is also submitted that the said sand was purchased through *challan*. It is false to say that the sand was without any valid papers. It is submitted that the allegation against the petitioner is that without having any registration number the said tractor was recovered over loaded with sand and the said sand was illegally transported by the petitioner or his driver. It is further submitted that the Mines Department has never claimed any illegal transportation of the said sand. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Piro P.S. Case No. 49 of 2024, he shall be released on anticipatory bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ivth, Bhojpur at Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C..

**(Khatim Reza, J)**

prabhat/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

