

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57150 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- BIHAR District- Nalanda

Bijendra Kumar S/o Baunu Yadav R/o vill - Nakatpura, Marauna, P.S. - Bihar,
Distt .- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Chaudhary, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bihar P.S. Case No. 173 of 2024 registered under Sections 323, 353, 379, 420 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioner is the owner of the seized tractor which was loaded with 130 C.F.T. illegal sand.

4. Learned counsel appearing on behalf of the petitioner submits petitioner was neither seen at the place of occurrence nor he has any connection with the alleged illegal sand. However, at this stage, without admitting his guilt, petitioner is ready to deposit Rs. 50,000/-.

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered



that let the above named petitioner in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 173 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioner that :-

i. Petitioner shall deposit Rs. 50,000/- (Fifty Thousand) in the office of District Mining, Nalanda and will produce the receipt of the same at the time of furnishing bail-bond in the Court below, failing which, the learned Court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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