

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57107 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- SANDESH District- Bhojpur

Rambabu Kumar S/o Suresh Yadav R/o vill - Jalpura Tapa, P.s - Chandi, Distt.
- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Priya, Adv.
Mr.Prabhat Kumar Singh, Adv.
For the Opposite Party/s : Mr.Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner is apprehending his arrest in connection with Sandesh P.S. Case No. 112 of 2024 registered for the alleged offences under Section 379, 411, 414 & 120(B) of the Indian Penal Code and Section 192 and 194 of the Motor Vehicle Act.

03. As per prosecution case, during a drive against illicit liquor and illegal mining, a tractor loaded with sand was intercepted and its driver was apprehended. The petitioner is stated to be the owner of the tractor who was found involved in the illegal mining of sand.

04. Learned counsel for the petitioner submits that the petitioner is having clean antecedent and has been falsely



implicated in this case. The petitioner is not named in the FIR and his name came up during investigation being the owner of the vehicle. The petitioner is not involved in transportation of illegal sand. The petitioner has given his tractor to an agent on contract for mining and transporting sand and he is paying Rs.5,000/- per day to the petitioner. However, the petitioner is even ready to make payment of fine if the same is imposed by the Mining Department.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner and the fact of absence of substantive material against the petitioner and further considering possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Bhojpur at Ara in connection with Sandesh P.S. Case No. 112 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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