

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62253 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- SANDESH District- Bhojpur

Bablu Kumar @ Bablu Chaudhari Son of Umesh Chaudhary Resident of
Village - Kusumha, Post - Sakhuan, P.S. - Udwant Nagar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-09-2024 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. 177 of 2024, registered on 21.06.2024, for the alleged offence under Sections 379, 411, 414 and 120B of the Indian Penal Code and Sections 192 and 194 of Motor Vehicle Act, 1988.

03. As per prosecution case, during patrolling, police received secret information about illegal mining of sand. At an identified place, a tractor was intercepted whose driver fled away on seeing the police party after unloading 130 cubic feet of sand. The name of petitioner transpired during investigation as being the owner of seized tractor.

04. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. The name of the petitioner came up in this case being the owner of the seized tractor but the petitioner had given the said tractor on hire to someone for carrying bricks from brick kiln. The petitioner was neither present at the spot during alleged occurrence nor he has been named in the FIR. The petitioner has no concern with the illegal sand mining. The petitioner is having antecedent of two cases but both the cases have been lodged by the aunt of the petitioner under Sections 498(A), 328, 341, 323, 504/34 of IPC

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the possibility of false implication, 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 177 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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