

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63413 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- PARSAUNI District- Sitamarhi

Gonour Paswan Son of Ritlal Paswan @ Reet Lal Paswan Village- Vishanpur
Dhodhani, P.S.- Parauni, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-09-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 188, 341, 323, 353, 379, 506 of the Indian Penal Code and Sections 11, 33, 34(3), 56 of the Bihar Mineral Act.

3. Prosecution case, in brief, is that on inspection at Bishanpur Dhodhani, two tractors were seized during course of mining and on demand, no valid paper was produced by the drivers. In the meantime, this petitioner along with other F.I.R. named accused persons gathered there and scuffled with police officials and took away the tractors after unloading the soil causing loss of Rs. 52,250/- to the Government.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case at the behest



of political rivalry. Petitioner is *Sarpanch* of the concerned Gram Panchayat. He is neither driver nor owner of the tractors. However, without admitting his guilt, petitioner is ready to deposit the alleged amount. Petitioner has got clean antecedent.

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 his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sitamarhi in connection with Parsauni P. S. Case No. 80 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioner shall deposit Rs. 52,250/- (Rs. Fifty Two Thousand Two Hundred Fifty) through Bank Draft in the office of District Mining Office, Sitamarhi and produce its receipt at the time of furnishing bail-bond, failing which, the learned court below shall be at liberty to cancel the bail-bond.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

