

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73441 of 2024

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

Nitish Kumar @ Bholu Son of Dhirendra Kumar Singh@ Dhiran Singh
village- Balha, Ward no. 4, Ps- Parsauni, Dist- Sitamarhi

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. The Mines and Geology Department through the Mines Inspector, District Mines Office, Sitamarhi Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Divya Bharti , Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2024 a Heard learned counsel for the petitioner and the
State .

2. Petitioner seeks bail in a case registered for the offences punishable under Sections 188, 341, 323, 353, 379 and 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 neither driver nor owner of the tractor in question . It is further submitted that the alleged loss amount of Rs. 52,250/- caused to the Government has already been deposited by co-accused Gonour Paswan . Petitioner is in custody since 26.07.2024 .

5 . Learned counsel for the State opposes the prayer for bail.

6. Considering the fact that alleged loss amount of Rs. 52,250/- caused to the Government has already been deposited by co-accused Gonour Paswan , period of custody of petitioner and other circumstances of the case , the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Sitamarhi in connection with Parsauni P. S. Case



No. 80 of 2024 .

(Prabhat Kumar Singh, J)

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