

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81222 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- SONEPUR District- Saran

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Pappu Kumar @ Pappu Ray S/o- Shankar Ray Village- Rahimpur P.S-
Sonepur District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 04-12-2024 Heard Mr. Rakesh Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Murli Dhar, learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sonepur P.S. Case No.191 of 2024, registered for the
offences punishable under Sections 188, 379 and 411 of the
Indian Penal Code.

3. The allegation against the petitioner is of involved
in trafficking of illegal sand by facilitating easy passage of the
different vehicles.

4. Referring to the FIR, learned advocate for the
petitioner contended that even if the allegation taken to be true



for the sake of argument it is only alleged that the petitioner and other accused persons were involved in facilitating easy passage of the vehicle laden with the sand. The petitioner is neither owner of the vehicle in question nor has any relationship with the illegal sand in question. There is no material available on record or any ingredient constituting any offence as alleged in the FIR. Only because of two criminal antecedents as has been disclosed in paragraph 3 of the bail application the name of the petitioner has been implicated along with other accused persons. The petitioner undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner is involved in trafficking of illegal sand.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioner has neither any concern with the vehicles involved in trafficking of illegal sand nor with the other accused, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonepur P.S. Case No.191 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Prakash Narayan

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