

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85101 of 2023**

Arising Out of PS. Case No.-187 Year-2023 Thana- SHERGHATI District- Gaya

Binod Kumar Son Of Etwari Yadav R/O Village- Dharampur, P.S.- Dobhi,
Dist.- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 15-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code.

3. Prosecution case, in brief, is that when the informant reached near Amir More, he saw a red color Mahindra tractor loaded with coal coming towards Dobhi. The driver of the tractor fled away when he saw the police party. It is alleged that the tractor was seized.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is the driver of the said tractor and was doing his



job as per order and direction of the owner of the tractor. He further submits that the owner of the said tractor has been granted anticipatory bail by learned Court below. He also submits that the coal was purchased by the owner of the seized tractor from Yadav Traders. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sherghati (Dobhi) P.S. Case No. 187 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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