

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4289 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- DUMARIYA District- Gaya

Moin Alam @ Md Moin Alam S/O Md Quasim Alam @ Md. Kaseem R/O
Vill- Manjhauli, PS- Dumaria, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Murad Ashraf, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-01-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Dumaria PS case no. 04 of 2024, disclosing offences punishable under Section 379 and other allied sections of the Indian Penal Code and Section 33(1)(a), 41 of Indian Forest Act, 1927.
3. The prosecution story, as per the First Information Report, is that on 21.01.2024, while the informant was returning along with seized tractor bearing registration no. BR-02-GB- 0502, having gravel (moram), co-accused Haseen Alam and 15-20 unknown persons forcibly stopped the tractor and took away the tractor in question with them. The driver of the said vehicle was co-accused Sarvesh Paswan.



4. Learned Counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name has transpired during course of investigation on the ground that he happens to be the owner of the tractor. Learned counsel further submits that the tractor in question was taken away by local villagers and they were returning with the loaded tractor, which was intercepted by the forest staffs. Learned counsel next submits that the petitioner has deposited fine amount of Rs. 15,500/-, imposed by the Police to the District Transport Office. The petitioner is having no criminal antecedent and one of the named accused person Haseen Alam has already been granted anticipatory bail by this Court vide order dated 31.08.2024, passed in Cr. Misc. No. 54564 of 2024. Learned counsel also submits that the petitioner was granted benefit of Section 41-A Cr.P.C. but now charge-sheet has been submitted and he has apprehension of arrest.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has already deposited the fine imposed by the police and named accused person Haseen Alam has already been granted anticipatory bail by this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.



6. This application is, accordingly, allowed.
7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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 learned S.D.J.M., Sherghati, Gaya in connection with Dumaria PS Case No. 04 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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