

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89054 of 2024

Arising Out of PS. Case No.-373 Year-2024 Thana- SIRDALA District- Nawada

Badal Kumar S/O Bishundhari Prasad R/o Vill. - Dubri Bigha, P.S - Sirdalla,
District – Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sirdalla P.S. Case No. 373 of 2024 registered for the alleged offences under Sections 281, 303(2), 317(2) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, police received secret information about illegal mining of sand and found that a tractor was being loaded with illegal sand. On seeing the raiding party, the driver of the tractor tried to run away with the tractor but he met with an accident. The petitioner was apprehended and the driver of the tractor fled away from the spot.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner is neither the owner nor the driver of the said tractor nor the owner of the sand. The petitioner is a labourer and this fact is also apparent from the FIR. The petitioner is having antecedent of two cases and he is on bail in both the cases. The petitioner is in custody since 05.10.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge, Nawada in connection with Sirdalla P.S. Case No. 373 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

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

