

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A. B. A. No. 3397 of 2020

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Pintu Kumar ... .. Petitioner  
Versus  
The State of Jharkhand ... .. Opposite Party  
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**CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**

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For the Petitioner : Mr. Sarvendra Kumar, Advocate  
For the Opposite Party : Mr. Prabir Chatterjee, Special P.P.  
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3/09.09.2020 Heard the parties.

So far as defect no. 4 and 9 (i) are concerned, learned counsel for the petitioner undertakes to remove the same, once the situation normalises. As regards, defect no. 5 (e) is concerned, the same is ignored.

The petitioner is apprehending his arrest in connection with Pratappur P.S. Case No. 144 of 2019.

It has been alleged that a tractor with a trailer was intercepted which was transporting woods without any valid document.

Learned counsel for the petitioner submits that the petitioner is the owner of the tractor and the vehicle was in the custody and supervision of the driver and therefore any offence committed by the driver would not make the petitioner liable for any criminal offence.

Learned special P.P. has opposed the prayer for anticipatory bail.

On consideration of the fact that the petitioner is the owner of the tractor and he being not present at the place of occurrence at which seizure had taken place, I am inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, the petitioner above named is directed to surrender in the court below within four weeks and pray for bail, and in that event, he shall 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., Chatra in connection with Pratappur P.S. Case No. 144 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Rongon Mukhopadhyay, J)