

Vinay Kumar Singh Vs. the State of Jharkhand

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Court : Jharkhand

Decided On : Jul-31-2013

Appellant : Vinay Kumar Singh

Respondent : The State of Jharkhand

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI A. B.A. No. 2140 of 2013
Vinay Kumar SinghPetitioner Vs. The State of JharkhandOpposite
party CORAM: HON'BLE MR. JUSTICE PRASHANT KUMAR For the Petitioner:
Mr. Indrajit Sinha For the State: Mr. Shiv Kumar Sharma,APP 4/31.07.2013:
Anticipatory bail application filed by petitioner Vinay Kumar Singh is moved by Sri
Indrajit Sinha and opposed by Sri Shiv Kumar Sharma, learned Additional P.P.
Petitioner is Weighment Bridge Clerk of Berra Collier. It is alleged that on
03.06.2012, a Truck bearing Registration No. WB 25.4925 of Ojha Coal Trader
entered in the Coliery area on the basis of D.O. No. 1300431250 for loading coal.
It is further alleged that the said truck returned with 1.05 MT excess coal. It is
further alleged that the petitioner allowed the said truck to go out by showing that it
was empty. It is submitted that the Weigh Bridge situates in between the Check
Post of CISF and Colliery. Under the said circumstance, if truck goes out, it is the
duty of the CISF Officer to check all the documents relating to the said truck. Thus,
if the said truck has gone out with 1.05 MT excess coal, then it could have been
stopped by CISF Officers, but they have not done so which shows that the said
truck went out of check post without any coal. It is further submitted that another

co- accused, namely, Rana Pratap Singh, Loading Clerk, has been granted regular bail by a bench of this Court vide order dated 15.05.2013 in B.A. No. 4487 of 2013. Considering the aforesaid facts and circumstance, I allow this application and direct the petitioner to surrender in the court below by 14.08.2013 and in that event the court below is directed to enlarge the petitioner, above named, 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 Chief Judicial Magistrate, Dhanbad in connection with Dhanbad (Dhansar) P.S. Case No. 622 of 2012 (G.R. No. 2457 of 2012) , subject to the condition as laid down under section 438(2) of the Cr.P.C. (Prashant Kumar,J.) Sharda/-

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