

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17421 of 2015

Arising Out of PS.Case No. -19 Year- 2015 Thana -NIMCHAKBATHANI District- GAYA

1. Md. Sabir Son of Late Jainul Abdin, R/o Village - Jalwabad, P.s. -
Koderma, District - Koderma Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-05-2015 Heard learned counsels for the petitioner and
the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379,411,413 and 120B/34 of the Indian Penal Code, sections 32 and 42 of Indian Forest Act, section 49 of Bihar Mines and Minerals Concessions Rules, 1972 and Bihar Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

It is alleged that the truck carrying stone chips unauthorizedly were intercepted when the driver confessed that he was carrying the same at the instance of the petitioner who is owner of the truck.



It is submitted by the learned counsel for the petitioner that there is nothing on record to suggest that the petitioner instructed the driver of the truck to carry stone chips and the petitioner has been roped in the present case since he is the owner of the truck. It is further submitted that the seizure cannot be treated from the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya in connection with Neekchak Bathani P.S. Case No. 19 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non

cooperation in investigation by the petitioner will give liberty to prosecution to file application for cancellation of bail bond by learned court below.



(Dinesh Kumar Singh, J)

Anil/-

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