

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23118 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

Upendra Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh, Adv.

For the Opposite Party/s : Mrs. Dr. Indiwari Kumari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-07-2015 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 and 120B of the Indian Penal Code, Section 4/44 of the Bihar Minor and Mineral Concession Rules, 1972 and Sections 33, 41, 42, 51 and 52 of The Indian Forest Act.

A truck loaded with stone chips was intercepted when the driver of the same managed to escape from the scene. The petitioner was found to be the owner of the alleged truck.

It is submitted by learned counsel for the petitioner that the stone chips were being carried on a public carrier under valid permit. The petitioner was admittedly not present in the alleged truck and he has been roped in the present case only because he is the owner of the truck. A statement has been made in para 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri in connection with Bikramganj P.S. Case No. 42 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-co-operation in the investigation by the petitioner will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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