

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36444 of 2015

Arising Out of PS.Case No. -125 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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1. Md. Shakil son of Md. Shamsuddin R/o village- DAr Rampur P.S. Bela,
Dist. Gaya (Bihar)
2. Md. Mansoor Alam, son of Md. Abdul Sakur, R/o 4/1 Hirde Lane
Tirthatti, P.S. Babu Bazar Kolkatta 700012 (West Bengal) (owner of truck
no. WB 23B/4811)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 413,414,420,467,468,471 and 120B of the Indian Penal Code.

The accusation is of transporting coal through truck without any valid document. The petitioners are driver and owner of the truck.

It is submitted by the learned counsel for the petitioners that the coal in question was being transported under a valid document but the authenticity of the same was not verified by the informant at the time of seizure.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months 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 SDJM, Daudnagar in connection with Daudnagar P.S. Case No.125 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed only if on verification it is found that the coal was being transported through truck under valid document otherwise the petitioner will surrender and pray for regular bail.

If there is delay in getting the document verified then the learned court below will be at liberty to extend the period of provisional bail of the petitioner.

(Dinesh Kumar Singh, J)

Anil/-

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