

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8766 of 2016

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Jokhan Singh son of Bhikhan Singh, Resident of village- Sita Bigha, P.S.-
Sasaram (M), District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr. Arbind Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2016

The present application has been filed for modification of the order dated 14.08.2015 passed in Cr. Misc. No. 34359 of 2015 to the extent of confirming the provisional bail of the petitioner granted in connection with Forest Case No. 42 of 2014 pending in the court of learned CJM, Rohtas at Sasaram.

The prosecution case was that a truck loaded with stones was inspected when it was suspected that the same was being transported without valid challan. The petitioner was the owner of the truck. The petitioner claimed that the stones were carried by the driver.

The petitioner was granted provisional anticipatory bail for three months vide order dated 14.08.2015 passed in Cr. Misc. No. 34359 of 2015 which was to be confirmed by learned court below on verification of the genuineness of challan but the

provisional bail was not to be confirmed if the challan was found not valid and in that event the petitioner was to surrender and pray for regular bail.

It is submitted by learned counsel for the petitioner that orders of learned court below dated 07.02.2015 to 03.02.2016 reflect that the verification report has not been submitted by prosecution. It is further submitted that bail bonds of the petitioner have not been cancelled at yet.

In the circumstances, the order dated 14.08.2015 passed in Cr. Misc. No. 34359 of 2015 is modified to the extent that provisional anticipatory granted to the petitioner is hereby confirmed.

Accordingly, the modification application is allowed.

(Dinesh Kumar Singh, J)

Amrendra/-

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