

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23238 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Ram Talika Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Tiwary

For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 24-05-2016

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 and 411 of the Indian Penal Code and section 40(i) of Bihar Minor Mineral Concession Rules, 1972.

One tractor loaded with sand was intercepted when the petitioner was found to be the owner of the tractor.

It is submitted by the learned counsel for the petitioner that actually the loaded material was not sand but it was Moran which was carried for filling the adjacent area of the house of the petitioner on the occasion of Tilak ceremony in the family under valid challan. It is further submitted that actually the seizure was made on 28.2.2016 but the written report was submitted on 4.3.2016 which came to be registered as FIR on 6.3.2016.

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 SDJM, Dehri-on-Sone (Rohtas) in connection with Dehir (Indrapuri) P.S. Case No.132 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted by the learned court below on verification of the fact that the challan for lifting the sand was valid on the date of seizure. In case the challan is not found valid, the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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