

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47870 of 2016

Arising Out of PS.Case No. -736 Year- 2016 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Bablu Singh Son of late Kamta Singh Resident of village- Amara Tallab,
P.S. Sasaram(M), District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 14-12-2016 Heard both sides.

The petitioner apprehends his arrest in connection with Sasaram (M) P.S. Case No. 736 of 2016, registered under Sections 147,148,149, 323,307, 353, 379, 414 as well as Section 4/40 of the Bihar Mining Act and Sections 33, 41 and 42 of the Indian Forest Act.

The S.H.O. has alleged that one tractor laden with illegally mined stone chip was intercepted and when the same was about to be carried to the police station, several persons obstructed including the petitioner in discharge of the official duty.



Contention o the petitioner is that he has no criminal antecedents. He is resident of different village. There is no allegation that any private or public property was damaged. Considering the fact that the petitioner is resident of different village and does not carry any criminal antecedents, this Court is inclined to extend the privilege of anticipatory bail to the petitioner.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Rohtas at Sasaram, in connection with Sasaram (M) P.S. case No. 736 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such



appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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