

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40528 of 2016

Arising Out of PS.Case No. -300 Year- 2016 Thana -SHERGHATI District- GAYA

Chandan Kumar, Son of Santosh Kumar Resident of Mohalla Hatiya, P.S.-
Sherghati, District -Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 22-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sherghati (Dobhi) P.S. Case No. 300 of 2016, disclosing offences under Sections 384, 413, 414, 420, 120B and 406 of the Indian Penal Code.

It is alleged in the First Information Report that a Truck bearing registration no. PB-05P-9109 was intercepted by the Officer-in-charge of Dobhi Police Station, which was found carrying stone chips and upon demand of papers, the driver of the truck could not supply the papers. With an allegation of carrying stolen stone chips without any valid document, the First Information Report came to be registered. The petitioner is the owner of the truck.

Learned counsel appearing on behalf of the petitioner has submitted that the stone chips were being carried from Jharkhand to be delivered at Buxar under valid challan. He has

also submitted that there is allegation against one Pawan Upadhyay in the First Information Report, who was, allegedly, acting as Mafiya and has been granted regular bail by this Court vide order dated 29.08.2016 passed in Criminal Miscellaneous No. 36329 of 2016.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 300 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

U		T	
---	--	---	--