

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34121 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Tapeshwar Singh, son of Shankar Singh, residnet of village-Kansh, PS-Barun, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 20-07-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Aurangabad (Muffasil) P.S. Case No.37 of 2017 instituted for the offence under Section(s) 379, 411 Indian Penal Code and Sections 3, 4, 5 of the Mines Act.

It is alleged that the tractor was found loaded with sand.

It has been submitted that the petitioner is the owner of Tractor. The driver has already been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 07.07.2017 passed in Cr. Misc. No.27080 of 2017. It has further been submitted that the driver was having valid papers with respect to the loaded sand (Annexure-3).



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Aurangabad (Muffasil) P.S. Case No.37 of 2017, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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