

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26690 of 2017

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

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1. Santosh Kumar, S/o Sri Lakhan Sao, resident of village- Ratanpura,
P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. 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. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-07-2017

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,
and 5 of the Mines Act.

There is allegation against this petitioner that he
loaded sand on the truck without valid paper. He did not produce
paper (challan) before the police.

Counsel for the petitioner submits that he was
holding valid paper which he has annexed as Annexure-2.

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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