

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27161 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -ASARGANJ District- MUNGER

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1. Manoj Kumar Azad Son of Late Tarni Prasad Singh, R/o L.C.T. Ghat
Near Radhe Compound Post-G.P.O., P.S.- Purbahore, District- Patna,
Presently Residing at Village- Naraun, P.S.- Shambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Ms. Anita Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 01-07-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Asarganj Police Station Case No. 41 of 2017,
disclosing offences under Sections 379, 411, 430 of the
Indian Penal Code and Sections 4/40 of the B.M.M.C. Rules,
1972.

It is alleged that earth was being taken out with
the help of a JCB machine belonging to the petitioner from
Rajauon Dam. The driver of the said JCB machine has been
arrested.

Learned Counsel for the petitioner has
submitted that the petitioner's implication is only because



he owns the said JCB machine. There is no other material against him.

Considering the submission, as above, this application is allowed.

Let the petitioner, Manoj Kumar Azad, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Munger, in connection with Asarganj Police Station Case No. 41 of 2017, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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