

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30746 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -JAMHORA District- AURANGABAD

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Bijendra Prasad, Son of Bishesar Mehta, Resident of Village- Gira, P.S.-
Jamhore, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jamhore P.S.

Case No. 45 of 2017 instituted for the offence under Section 40 of
Bihar Minor Act and Mineral Concession Rule, 1972.

There is allegation against the petitioner that he is
running brick-kiln without paying government tax and obtaining
such certificate from Pollution Board.

It has been submitted on behalf of the petitioner that
he has already deposited the amount as it would appear from
Annexure-2 and the same has also been mentioned in the
impugned order.

In such circumstances, prayer for anticipatory bail of
the petitioner is allowed. In the event of surrender/arrest of the



petitioner, named above, within six weeks from today, in connection with Jamhore P.S. Case No. 45 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 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.

S.Ali/-

(Sanjay Priya, J)

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