

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32762 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -NOKHA District- SASARAM (ROHTAS)

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1. Abhimanyu Kumar
2. Kamlesh Ram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Nokha P.S.
Case No. 125 of 2017 instituted for the offence under Sections-
379, 411/34 of the Indian Penal Code and 40(1) of the B.M. Act.

There is allegation that the petitioners are owner and
driver of tractor bearing registration No. BR-24GA-3970.

It is alleged that sand without valid paper were found
loaded.

It has been submitted that petitioners were not
apprehended on the spot. Petitioners are owner and driver of the
tractor. They were in possession of valid paper.

In such circumstances, prayer for anticipatory bail is
allowed it is ordered that the petitioners named above, in the event
of their arrest or surrender in the court below within four weeks



from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nokha P.S. Case No. 125 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas, Sasaram subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

A.K.V./-

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