

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33935 of 2017**

Arising Out of PS.Case No. -148 Year- 2017 Thana -NABINAGAR District- AURANGABAD

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RAJA MOHAN SINGH @ RAJMOHAN SINGH, son of late Chalitar Singh, r/o village- Mangawar, P.S.-Nabinagar, district-Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, 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 Nabinagar P.S. Case No.148 of 2017 instituted for the offence under Section(s) 379, 420/34 Indian Penal Code and Section 40 of Bihar Mines Act, 1972.

It is alleged in the written report that three Tractors loaded with sand were apprehended by the police and the drivers were arrested.

This petitioner is owner of one of those Tractors. Learned Sessions Judge has mentioned in the impugned order that verification report of Challan is mentioned in para 20 of the case diary. The driver was holding valid paper with respect to loaded sand.



It is mentioned in para 3 that the petitioner has no criminal antecedents.

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 Nabinagar P.S. Case No.148 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)**

**JA/-**

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