

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40268 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

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Birender Singh @ Birendra Singh Yadav, Son of Late Khedu Yadav, R/o
Village-Cherpania, P.S.- Aghera, District- Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Pandey, Advocate.

For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Rohtas P.S.

Case No. 103 of 2017 instituted for the offence under Sections
379, 411 of the Indian Penal Code and Section 40(1) of the Bihar
Mining Act.

It has been submitted that petitioner is valid owner of
the Tractor bearing Registration No. BR-45G/1382, Tractor No.
1383. He was having valid papers with regard to the aforesaid
Tractor. The driver of the Tractor produced those papers to the
police, even then, they have been apprehended by the police. The
petitioner was not apprehended on the spot.

Considering the facts and circumstances of the case,
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 Rohtas P.S. Case No. 103 of 2017, G.R. No. 463 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 Sri Kavindra Kumar, Judicial Magistrate, 1st Class, Dehri, 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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