

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42154 of 2017

Arising Out of PS.Case No. -193 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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Sanjay Kumar son of Sri Prem Chandra Prasad, resident of Station Road,
Fathua, P.S.- Fathua, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sharma, Advocate

For the State : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Islampur P.S. Case No. 193 of 2017 registered under Section 379
of the Indian Penal Code. Later on Section 411 of the Indian Penal
Code was added.

It is contended that the petitioner is owner of the trucks
bearing registration no. BR01GA 8600 and BR01GA6800 and was
not even present on the spot. The said two trucks were seized by
the officials of the Mining Department. It is further contended that
the drivers of the trucks were apprehended with the trucks after the
trucks were taken away and they have also been granted
anticipatory bail by a Bench of this Court vide order dated
10.08.2017 passed in Cr. Misc. No.37976 of 2017. It is further



contended that even on admitted allegation, offence under Sections 379 and 411 of the Indian Penal Code would not be made out.

Learned counsel for the State has opposed the prayer for grant of anticipatory bail to the petitioner. It is contended that after the vehicles were seized, the drivers took away the vehicles without informing the seizing officials and were intercepted by the police.

Having regard to the nature of the allegation, the petitioner named above is directed to 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 Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Islampur P.S. Case No.193 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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