

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40405 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -KARAI PARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Kavindra Kumar Son of Late Ramashray Gope Resident of Bishay Bigha,
P.S. Aungari, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Assistant Director Mines and Geology Department, Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Karai Parsurai P.S. Case
No. 41 of 2017 instituted for the offence under Section-379 of the
Indian Penal Code.

It is alleged in the written report that truck of the petitioner
was found standing near the river for loading illegal sand. The
petitioner is said to be owner of the truck. He was not present on the
spot and no sand was found loaded on the truck of the petitioner.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event
of his arrest or surrender in the court below within six 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 in Karai Parsurai P.S. Case No. 41 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda 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) 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)

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