

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34895 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -SIRDALA District- NAWADA

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Rajnandan Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sirdalla P.S. Case No. 133 of 2016 instituted for the offence under Section-379 of the Indian Penal Code, 40 of Bihar Minor and Mineral Concession Rules 1972 and Section 8 of Bihar (Prevention of Illegal Mining Transport and Storage) Rules, 2003.

It has been submitted that the petitioner is the owner of the truck. He had given truck on rent to one Pradeep Kumar. This fact has also been given in the case diary.

Counsel for the petitioner at paragraph-8 has mentioned this fact that during investigation, the I.O. verified the fact and found that the petitioner had given his truck to Pradeep Kumar on rent.

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 Sirdalla P.S. Case No. 133 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Nawada subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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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