

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54089 of 2017

Arising Out of PS.Case No. -520 Year- 2017 Thana -BIHTA District- PATNA

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Tauquir Ahmed Khan, son of late Waheed Hussain Khan, resident of village
Char Hazar, P.O. Maner, P.S. Maner, Distt. Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bihta P.S.**

Case No. 520 of 2017 instituted for the offence under Sections
147, 148, 149, 406, 379, 120(B) of the Indian Penal Code and
Sections 4/21 of Mines and Minerals (D&R) Act, 1975, 4/40 of
Bihar Mines Minerals Concession Rules, 1972 and Section 8 of
Bihar Minerals and Prevention of illegal Mining Transportation
Rules, 2003.

Learned counsel for the petitioner has submitted that
he has no concern with the Poklen machine which was seized
from the place of occurrence. It has further been submitted that the
petitioner is an old man suffering from various decease. The
Poklen machine of the petitioner is out of order since long time.



From the written report it appears that petitioner is not named in the written report.

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 **Bihta P.S. Case No. 520 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 **learned Additional Chief Judicial Magistrate-1st, Danapur**, 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)

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