

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55847 of 2017

Arising Out of PS.Case No. -148 Year- 2017 Thana -DHANAHA District-
WESTCHAMPARAN(BETTIAH)

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Surendra Yadav, son of Bunni Yadav @ Bunni Lal Yadav, Resident of
Village- Donaha, Police Station- Dhanaha, District- West Champaran.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate.

For the Mines : Mr. Naresh Dixit.

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner, learned
counsel for the Mines and the State.

The petitioner apprehends his arrest in **Dhanaha P.S.**
Case No. 148 of 2017 instituted for the offence under Section 379
of the Indian Penal Code and Section 40 of Mining Act, 1972.

In the written report it is alleged that one tractor
loaded with sand was apprehended by the police. The villagers
disclosed that the aforesaid tractor belongs to this petitioner.

It is mentioned in paragraph-3 of the bail petition that
petitioner has no criminal antecedent. He was not caught 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 **Dhanaha P.S. Case No. 148 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, Bagaha, West Champaran**, 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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