

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56371 of 2017

Arising Out of PS.Case No. -218 Year- 2016 Thana -KHAJAULI District- MADHUBANI

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1. Sunil Kumar Gupta, Son of Bechan Sahu, resident of Village- Dulliputti,
P.S. Jaynagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Khajauli P.S. Case No. 218 of 2016, G.R. No. 2472 of 2016 instituted for the offence under Sections 431, 414/34 of the Indian Penal Code and Section 40 of Bihar Mannual Act, Section 25, 16 of Water Prevention and Control of Pollution Act.

It is alleged in the written report that police seized four loaded tractors with sand, without registration number, and it is suspected that tractors are stolen one.

Learned counsel for the petitioner has submitted that petitioner is the owner of the tractor, which ahs been seized by the police and he has filed document in support of ownership, which is Annexure-2 series.

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 Khajauli P.S. Case No. 218 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, IIIrd, Madhubani 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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