

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55435 of 2017

Arising Out of PS.Case No. -418 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Dinesh Sahni, S/o Late Ram Nagina Sahni, resident of Village- Basanta,
P.S.- Lalganj, District- Vaishali.

2. Kundan Yadav, S/o Late Algu Yadav, resident of Village- Patrawa, P.S.-
Tanya Suman, District- Kushi Nagar (U.P.).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Hajipur Sadar P.S. Case No.418 of 2017 instituted for the offence under Sections 188, 379, 447 of the Indian Penal Code and under Section 49 of B.M.M.C. Act.

It is alleged in the written report that truck loaded with sand was apprehended by the police. Petitioner no.2 is said to be owner of the aforesaid truck. Learned counsel for the petitioners has submitted that there is no specific allegation against petitioner no.1. Petitioner no.2 is owner of the vehicle. He was not present on the spot. He has further submitted that the driver was having valid challan with regard to the aforesaid sand.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioner, namely above, within six weeks from today, in connection with Hajipur Sadar P.S. Case No.418 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur, subject to the conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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