

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23012 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Vinod Kumar Singh, son of Sudarshan Singh, resident of Village- Gopi Bigha, P.O.- Jamuhare, P.S.- Dehri-on-Sone, Dist- Rohtas (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Aurangabad (M) P.S. Case No. 24 of 2017 instituted for the offence under Sections- 379, 411/34 of the Indian Penal Code, Sections-3, 4 & 5 of Bihar Mining Act, 2016 & Sections-33, 41 & 42 of the Indian Forest Act, 1927.

As per written report, the truck loaded with stone chips was apprehended by the police and on demand by the police; the driver did not produce any valid paper in respect of the loaded stone chips.

It has been submitted on behalf of the petitioner that the petitioner is the owner of the aforesaid truck. He was not present at the spot. He has also submitted that the driver was having valid



paper of those stone chips which have been annexed as Annexures- 2 & 2/A of the petition.

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 four 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 Aurangabad (M) P.S. Case No. 24 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad 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 petitioners 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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