

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29484 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -AMBA District- AURANGABAD

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Nawal Kishore Pandey, S/o Late Ram Prasad Pandey, R/o Village
Dhanibar, P.S. Amba, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 07-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Amba Police Station Case No. 54 of 2017, disclosing offences under Sections 379, 411, 420/34 of the Indian Penal Code and 40 Mines Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner is not named in the F.I.R. and the petitioner only being owner of the alleged Tractor bearing Reg. No. BR26H-5321 has been made accused in this case. Nothing incriminating has been recovered from the possession of the petitioner. Moreover, the seized sand loaded



on the tractor was purchased from Gothaully Balu Ghat, which is evident from challan at annexure-2. Hence, the petitioner, who is aged about 60 years, deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Amba Police Station Case No. 54 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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