

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37571 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -AMBA District- AURANGABAD

- =====
1. Upendra Pandey, S/o Janeshwar Pandey, resident of village- Pandey Karma, P.S. Mali, District Aurangabad.
 2. Sashi Pandey @ Sanshi Kant Kumar, S/o Ramkumar Pande, resident of village- Bariwa, Loknath, P.S. Mali, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 07-09-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Amba P.S. Case No.48 of 2017 instituted for the offence under Section(s) 406,420 Indian Penal Code.

It has been submitted on behalf of the petitioners that they have already applied for pollution certificate in the office of the Member Secretary, Bihar State Pollution Control Board, and had made online payment regarding which receipt was issued by the department in favour of the petitioner on 26.02.2016 and 24.02.2016, which has been annexed as Annexure-3.

In the facts and circumstances of the case, prayer of



the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Amba P.S. Case No.48 of 2017, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, 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) 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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