

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58228 of 2017**

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

=====

1. Sagir Khan, aged about 46 years, S/o Md. Wali Khan, Resident of Village- Kalami Mohalla, P.S.- Town, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Sri Nityanand

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Muffasil P.S. Case No. 24 of 2017 instituted for the offence under Sections-379, 411 of the Indian Penal Code and Sections-3/4/5 of Bihar Mining Act and 33, 41 and 42 of Indian Forest Act.

It has been submitted that the petitioner is owner of the truck bearing registration No. JH 05 N 5951. He was not present on the spot. It has further been submitted that he has already sold the aforesaid truck on 25-07-2016 to one Neeraj Kumar, in support of which, he has annexed Annexure-2. It has been submitted that the petitioner has no concern with the movement of the truck after having been sold the same.

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 in Muffasil 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 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)**

A.K.V./-

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