

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16717 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -BARUN District- AURANGABAD

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1. SANJAY SINGH @ SANJAY KUMAR SINGH, S/o Ram Dayal Singh, Resident of Village-Mangarahia, Post-Barauli, P.S.-Barun, District-Aurangabad.
 2. Ram Ugarah Singh Son of Late Janak Singh Resident of Village-Kharjama, P.S.-Barun District-Aurangabad, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Sharma

For O.P.No.2 : Mr. Rajendra Pd.

For the Opposite Party/s : Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-04-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Barun P.S.Case No.16 of 2017 registered for offences punishable under Sections 420, 467, 468, 471, 379, 411 and 120B of the Indian Penal Code.

Allegation against the petitioners is that without valid challan and permit, they transported coal from Jharkhand to Bihar and the Truck was intercepted.

It is submitted on behalf of the petitioners that they are owner of the Truck and Driver and the Truck has valid challan but it is alleged that the challan is not for Bihar.

It is further submitted that the petitioners are ready to abide by any condition imposed upon them.



Heard learned A.P.P. and the learned counsel for Mines.

They have opposed the prayer for bail.

Having heard both sides and in view of the facts as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Aurangabad in connection with Barun P.S.Case No.16 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police.
- (iv) In future, if they are found engaged in such type of crime again, the prosecution will be at liberty to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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