

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58057 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -JAMHORA District- AURANGABAD

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1. Kabi Singh @ Santosh Kumar, S/o Jangbahadur Singh, resident of
village- Rampur, P.S.- Jamhore, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/ : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 19-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Jamhore P.S.**

Case No.43 of 2017 instituted for the offence under Section(s)
406, 420 Indian Penal Code and Section 40 of Bihar Minor
Mineral Act.

In the written report, there is allegation that this
petitioner and others were running brick kiln without obtaining
proper licence and no objection certificate.

Counsel for the petitioner has submitted that he is
the owner of Shakti Brick Kiln and he was having licence issued
from the District Mining Office, Aurangabad, which is annexed
as Annexure-2.

It has further been submitted that other accused have



already been granted anticipatory bail by order dated 12.12.2017 passed in Cr. Misc. No.58465 of 2017 and order dated 17.10.2017 passed in Cr. Misc. No.49997 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Jamhore P.S. Case No.43 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) 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) 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)

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