

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50945 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -GALGALIA District- KISANGANJ

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1. Sanjay Mahto, Son of Durga Mahto, resident of Village- Basandubhi,
Police Station- Galgalia in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Galgalia P.S. Case No.
12 of 2017 instituted for the offence under Sections-379, 411/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that the
FIR has been lodged after delay of seven days. Mere suspicion has been
raised against the petitioner that the petitioner fled away with the
tractor, loaded with illegal sand.

From the written report itself, it is apparent that the tractor
of the petitioner was not apprehended on the date of occurrence.

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 Galgalia P.S. Case No. 12 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Kishanganj 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)

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