

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7222 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -BARUN District- AURANGABAD

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1. Akhilesh Singh @ Akhilesh Kumar Son of Late Laldeo Singh, Resident of Village- Gopi Bigha, P.S.- Dehri, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 17.10.2016 in a case registered for offences punishable under Sections 379, 420 and 411 of the Indian Penal Code and Sections 3, 4 and 5 of Bihar Illegal Mines Act.

The prosecution case is that the police party during patrolling, found the truck loaded with stone chips and on interception, the petitioner and another co-accused, Munna Singh could not produce papers.

It has been submitted by the learned counsel for the petitioner that he is driver of the truck and he had proper papers, which was produced before the authorities. He submits that he has



no criminal history and charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It has further been submitted that one of the co-accused Munna Singh was driver of another truck, has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 4379 of 2017 dated 13.02.2017.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Baroon P. S. Case No. 157 of 2016, subject to the condition that one of the bailors will be close relative of the petitioner.

(Nilu Agrawal, J)

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