

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.102 of 2017

Arising Out of PS.Case No. -529 Year- 2015 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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Purusottam Kumar, Son of late Suresh Prasad Singh, Resident of Mohalla
New Dilian (Sambika Path), P.O. & P.S. Dehri-On-Sone, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Md. Salahuddin Khan, Advocate

For the Opposite Party : Mr. Abhay Kumar – 1(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Dehri (Town)

P.S. Case No. 529 of 2015 instituted for the offence under

Sections 379/411 of Indian Penal Code, Section 4(1-A), 21(1)

D.E. Act, Section 40(1) B.M. Act and Section 33/41/42 of Indian

Forest Act.

It is alleged in the written report that on confidential

information that one Hywa of light green colour truck loaded with

stone-chips is going from Gopi Bigha towards Aurangabad

without proper paper, the police got stopped the truck. The driver

of the aforesaid vehicle fled away. The police on inspection found

that illegal stone-chips were loaded on the aforesaid vehicle. The

vehicle was seized and seizure list was prepared.

From the order of the learned Addl. Sessions Judge-



IV, Sasaram, it appears that during investigation and hearing of the anticipatory bail petition before him, challan and verification report was not produced. The learned Addl. Sessions Judge-IV, Sasaram, has rejected the prayer for bail on the basis of supervision note of the S.P., Sasaram, as mentioned in para-19 of the case diary that driver was not having valid challan and he had fled away in the event of not having in possession of the challan. During the course of hearing of the instant bail, the attention of court was drawn on Annexure-3 to 6 which are challan and verification report with regard to aforesaid stone chips loaded on the truck. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Dehri (Town) P.S. Case No. 529 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dehri (Rohtas), subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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