

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58143 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

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1. Brajesh Kumar, son of Jay Shankar Sharma, resident of village- Libri,
P.S.- Telhara, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, 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 **Telhara P.S.**

Case No.111 of 2017 instituted for the offence under Section(s)
379, 411, 188 Indian Penal Code and Sections 4 and 40 of the
Bihar Minor Mineral Concessions Act, 1972.

It has been submitted that tractor was seized loaded
with sand. Driver of the tractor was apprehended and seizure list
was prepared.

Petitioner is said to be the owner of the aforesaid
tractor. Petitioner was not arrested at the spot. It is mentioned in
para 3 of the bail petition that the petitioner has no criminal
antecedents.



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 **Telhara P.S. Case No.111 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 **Judicial Magistrate, 1st class, Hilsa, Nalanda**, 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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