

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26654 of 2017

Arising Out of PS.Case No. -548 Year- 2016 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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1. Sunil Sharma, son of Suresh Sharma, resident of village- Tendua
Boring, P.S. Dehri-on- Sone, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Dehri Nagar
P.S. Case No.548 of 2016 instituted for the offence under
Section(s) 147, 148, 337, 353 Indian Penal Code and Section 4
(1-A), 21 (1) D.E. Act and 40(1) Bihar Mining Act, Sections 33,
41, 42 of the Indian Forest Act.

It is alleged in the written report that the police
raided Gopi Bigha Crusher Market and found illegal Crusher
Machines running and preparing stone chips. The police seized
the articles used for preparing stone chips and the owners of the
Crusher Machines fled away. Name of this petitioner is also
mentioned as one of the owner.

In this manner, besides vague and general



allegation, there is no specific allegation of any overt act against this petitioner.

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 Dehri Nagar P.S. Case No.548 of 2016, 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 Sub-Divisional Judicial Magistrate, Dehri, Rohtas, 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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