

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30009 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -BARUN District- AURANGABAD

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Sunil Kumar, Son of Kailash Singh, resident of Village- Gopi Bigha
Jamuhar, P.S. Dehri-on- Sone, District Rohtas (Bihar), Owner of Truck No.
JH- 5AC-2603.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Barun P.S. Case
No. 35 of 2017 instituted for the offence under Sections 420, 379, 411,
120B of the Indian Penal Code, Sections 3, 4, 5 of Bihar Mines Act,
Sections 33, 41 and 42 of Indian Forest Act.

It has been submitted that petitioner is owner of the truck
bearing Registration No. JH 05AC 2603 which is said to have been
seized by the police loaded with stone chips, without any valid paper.

The police seized the aforesaid truck and other vehicles as
mentioned in the written report from which driver and other persons
were arrested.

From the written report it appears that the petitioner was
not present at the spot. He was owner of the vehicle No. JH 05AC
2603.



It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Barun P.S. Case No. 35 of 2017, 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 Chief Judicial Magistrate, Aurangabad, 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.

S.Ali/-

(Sanjay Priya, J)

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