

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37029 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -AMBA District- AURANGABAD

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Mohan Sao, Son of Shyam Sundar Sao, Resident of Village- Sanda, P.S.-
Kutumba, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate.

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Amba P.S.

Case No. 14 of 2017 instituted for the offence under Sections 379,
411 and 420/34 of the Indian Penal Code.

It has been submitted that petitioner is driver of the
Tractor from which the alleged sand has been recovered.

The counsel for the petitioner has submitted that
driver was holding valid paper of the aforesaid sand which has
been enclosed as Annexure-2. The said paper was verified and
found to be correct as appears from the report of Assistant
Director Mines and Mineral, Gaya, dated 29.5.2017.

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 Amba P.S. Case No. 14 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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