

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45641 of 2017

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

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Santosh Kumar @ Kavi Jeem S/o Late Jang Bahadur Singh, R/o Mohalla -
Jai Prakash Nagar, Karma Road, P.S. Aurangabad Town, District -
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jamhore P.S. Case
No. 14 of 2017 instituted for the offence under Sections 420, 467, 468,
471, 379, 411 and 120B of the Indian Penal Code.

As per allegation in the written report, coal were loaded in
three trucks from Sikni Chandwa, Latehar, and its destination was
Hariharganj, Palamu, but the coal were unloaded in the brick kiln of the
petitioner. The drivers of the aforesaid trucks were apprehended and
told that the same were unloaded at the instance of the petitioner.

It has been submitted that the petitioner is owner of Shakti
Trader brick kiln and he has no criminal antecedent. It has further been
submitted that the drivers were having valid papers of those three
trucks and the requisite Tax has also been paid. The police on



verification of the ownership of the truck, found the papers valid and correct.

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 Jamahore 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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