

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55016 of 2017

Arising Out of PS.Case No. -319 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Pappu Sahni, S/o Nunu Sahni, R/O village- Balaha Basanta P.S.- Lalganj,
Dist.- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Hajipur Sadar P.S. Case No. 319 of 2017** instituted for the offence under Sections 188, 447, 379 of the Indian Penal Code and Section 49 of Bihar Mines Minerals Concession (BMMC) Rule 1972.

It has been submitted that there is no recovery from conscious possession of this petitioner. It is mentioned in the written report itself that police party found sand stored at the place of occurrence and apprehended three persons. They disclosed before the police that the illegal sand has been collected by this petitioner and other accused persons as named in the written report.

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 **Hajipur Sadar P.S. Case No. 319 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, Vaishali at Hajipur**, 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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