

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15514 of 2018

Arising Out of PS. Case No.-3 Year-2018 Thana- PUSA District- Samastipur

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Pankaj Kumar Jha, Son of Sri Ganesh Jha, Resident of Village- Harpur
Ailloth, P.S. Musrigharari, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Pusa P.S. Case
No. 03 of 2018, instituted for the offence under Sections
379,414 of the IPC and Bihar Minerals Act, 1972 Rule 40 of
Bihar Mines Act, 2003.

There is allegation in the written report that one truck
bearing registration no. BR07 GA 4451 was apprehended for
illegal transporting of stone chips without any licence causing
loss of Rs. 2 lac to the government.

In the written report, it is alleged that the driver has
disclosed the name of this petitioner being owner of the truck.

Learned counsel for the petitioner has submitted that
petitioner is the owner of the aforesaid truck but he was not



present at the spot at the relevant time.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Pusa P.S. Case No. 03 of 2018, to the satisfaction of the learned ACJM, Samastipur, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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