

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15465 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- BARUN District- Aurangabad

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1. Shashi Kumar, S/o Awadhesh Yadav, R/o village- Patnawa, P.S.- Dehri (Rohtas), District- Rohtas (Bihar).
 2. Raviranjana Kumar S/o Awadhesh Singh, R/o Village- Patnawa Khurd , P.S.- Indrapuri, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Dr. Rabindra Kumar APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Barun P.S. case no. 10/2018 instituted for the offence under Section(s) 379, 420, 411 of the Indian Penal Code and Section 3, 4 and 5 of the Bihar illegal Mines Act..

In the written report, it is alleged that on the date of occurrence the informant was on patrolling duty. He saw two tractors transporting sand from Son river. The driver left the vehicles and fled away. The petitioner no.1 is the owner and petitioner no.2 is the driver of said vehicle. It is mentioned in para 3 of the bail petition that petitioners have clean antecedents.



In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Barun P.S. case no. 10 of 2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the CJM 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) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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