

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7824 of 2018

Arising Out of PS.Case No. -37 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District -
WESTCHAMPARAN(BETTIAH)

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Nazrul Hassan, S/o Late Badarujama, R/o Bisaha, P.S.- Valmikinagar,
District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the informant.

Petitioner apprehends arrest in connection with I.F. Case
No.37 of 2017 registered for the offences under Sections 27, 29
and 51 of W.L.P. Act and Sections 41 and 42 of the I.F. Act.

This case has been registered on the basis of report
submitted by Company Commander of S.S.B. As per prosecution
report, the tractor belonging to this petitioner was found carrying
stone chips allegedly from the forest area belonging to
government.

It has been submitted that the petitioner is a tractor owner
and had purchased the stone chips from a trader at Bagaha. The
petitioner in support of his contention has filed copy of owner



book of tractor, trailer and receipt granted by M/s. Raj Traders, Bagaha which deals in building materials. The petitioner has clean antecedent and there is nothing specific showing indulgence of this petitioner in illegal mining of stone chips.

The learned counsel for the informant opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail is allowed and the above named petitioner in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the likewise amount each to the satisfaction of learned A.C.J.M, Bagaha, West Champaran in connection with I.F. Case No.37 of 2017, subject to the conditions as laid down under Section 438(2) of Cr.P.C. with following conditions that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure



on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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