

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5480 of 2018

Arising Out of PS.Case No. -187 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Suresh Yadav, son of Late Gaurav Yadav, Resident of Village- Dulhin Bazar Dharampur Khadwan, P.S.- Dulhin Bazar, District- Patna (Owner of Truck No. BR-01 GF/3447).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the State : Mr. Rajballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Aurangabad Mufassil P.S. Case No.187 of 2017 registered under Sections 379, 411, 420 and 120B of the Indian Penal Code, Sections 3, 4 and 5 of the Bihar Illegal Mines Act and Section 194(1) of the Motor Vehicles Act.

It is submitted by the learned counsel for the petitioner that the petitioner is owner of the seized truck and was not present on the truck. The overloaded truck was being carried by the driver without permission and information of the petitioner. It is further submitted that the petitioner has not been made accused in any



other case apart from the present one and having got roots in the society he is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on 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 in connection with Aurangabad Mufassil P.S. Case No.187 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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