

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24892 of 2018

Arising Out of P.S.Case No. -175 Year- 2017 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

=====

Mukesh Kumar S/o Late Mangar Prasad , R/o Vill.- Beldari Bigha, P.S.-
Telhara, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Ram Anurag Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 04-05-2018 Heard.

The petitioner apprehends arrest in connection with
Telhara P.S.Case No.175 of 2017 registered for an offence under
Sections 307, 337, 323 and 353/34 of the IPC.

The informant happens to be the police officer who on
getting information regarding illegal mining of sand, visited at the
place of occurrence and in an attempt to intercept the tractor, the
driver pushed the informant and escaped from the place of
occurrence. The informant however apprehended one person who
disclosed the name of this petitioner as driver of the said tractor.

It has been submitted that in the alleged occurrence, none
of the police personnel sustained any injury and so no offence
under Section 307 of the IPC is made out. The case has not been



registered under the Mines and Minerals Act. The petitioner has clean antecedent having omnibus allegation of assault.

The learned APP opposed the submissions.

Considering the nature of allegation, facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender before the court below within six weeks from today 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 ACJM, Hilsa, Nalanda in connection with Telhara P.S.Case No.175 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

- (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) The petitioner shall cooperate in the disposal of trial and make themselves 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.

B.Kr./-

U		T	
---	--	---	--

(Sanjay Kumar, J)

