

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48248 of 2018

Arising Out of PS. Case No.-283 Year-2017 Thana- AKBARPUR District- Nawada

Awadhesh Ray, Son of Ram Janam Ray, Resident of 68, Didarganj, Patna
City, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in **Akbarpur P.S. Case No.283 of 2017** instituted for the offence under Section(s) 379 of the Indian Penal Code, and Section 75, 102 of the Bihar Minor Mineral Concessions Rules, 2017.

Learned counsel for the petitioner has submitted that petitioner is the owner cum driver of the vehicle. His name finds mention at serial no.4 in the written report. He had valid paper of registration of the aforesaid vehicle and other documents including valid challan of the loaded stone chips. His truck has illegally been seized. The certificate of registration and challan have been enclosed as Annexures- 2 and 3 respectively.

In the facts and circumstances of the case, prayer of



the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Akbarpur P.S. Case No.283 of 2017**, he shall 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 the **A.C.J.M.-1, Nawada**, 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) petitioner 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 petitioner and (3) if 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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