

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10703 of 2018

Arising Out of PS.Case No. -303 Year- 2017 Thana -MADANPURA District- AURANGABAD

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1. Vinay Kumar Jaiswal S/o Nagendra Prasad Jaiswal, R/o Village- Naya Bhojpur, P.S.- Dumraon, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2018 The petitioner is apprehending his arrest in connection with Madanpur P.S. Case No. 303 of 2017, registered for offences punishable under Sections 379 and 411 of the Indian Penal Code and Section 40 of the Bihar Mines and Minerals Act.

Allegation against the petitioner is of transportation of illegal sand in his truck without having valid challan.

It has been submitted on behalf of the petitioner that petitioner has valid challan but that is of the State of Jharkhand. Moreover, similarly situated co-accused of this case has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 01.02.2018, passed in Cr. Misc. No. 6322 of 2018.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case and also the fact that other co-accused having similar allegation has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad, in connection with Madanpur P.S. Case No. 303 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, this is further subject to the condition 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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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