

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46079 of 2018

Arising Out of PS.Case No. -106 Year- 2018 Thana -MUFFASIL District- AURANGABAD

- =====
1. Siddheshwar Prasad Singh @ Sidheshwar Prasad Singh, S/o Jagarnath Singh,
2. Anil Kumar Singh S/o Bilakhdeo Singh, Both are R/o Vill.- Bharthauli,
P.S.- Muffasil, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Muffasil P.S.

Case No. 106/2018, instituted for the offences punishable under

Sections 379, 411, 420 and 34 of the Indian Penal Code read with

Sections 4 and 40 of the Bihar Minor Mineral Concession Rule,

1972 and Section 15 of the Environment Protection Act.

Learned counsel for the petitioners has submitted

that Petitioner nos. 1 and 2 are owner-cum-driver of the tractors

mentioned at serial nos. 1 and 3 in the written report. Both the

petitioners had valid challan for the sand loaded on the aforesaid

tractors which was seized by police.



Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Muffasil P.S. Case No. 106/2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J.)

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