

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15492 of 2018

Arising Out of PS. Case No.-60 Year-2017 Thana- FESHAR District- Aurangabad

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Dharmendra Kumar, S/o Virendra Singh, R/o Village- Shahpur, P.S.- Fesar,
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Fesar P.S. Case
No. 60 of 2017, instituted for the offence under Sections
379,411 of the IPC and Section 40 of Bihar Minor Minerals
Concession Rule.

Learned counsel for the petitioner has submitted that
petitioner is the owner of the tractor. It is alleged in the written
report that while the informant was on patrolling duty he got
information that a tractor was passing from Barahi and it is
alleged that when the informant reached the spot, driver left the
tractor loaded with sand and fled away.

From the written report, it appears that petitioner
was not present at the spot.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Fesar P.S. Case No. 60 of 2017, to the satisfaction of the learned ACJM-V, Aurangabad, subject to condition as laid down u/S 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) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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