

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43664 of 2018

Arising Out of PS.Case No. -573 Year- 2017 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Rakesh Kumar Singh @ Rakesh Singh, S/o Kashinath Singh, R/o Vill.-
Raghunathpur (Bal Motha), P.S.- Karakat, District- Rohtas. At Present
Ward No. 14, Ghatmapur, P.S.- Karakat, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Smt Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 01-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Sasaram (M)**

P.S. Case No.573 of 2017 instituted for the offence under
Section(s) 419, 420, 467, 468/34 Indian Penal Code, Section 33,
41 and 42 of the Forest Act.

Petitioner is the owner of the truck alleged to have
been seized by the police. He was not present at the spot.

From the written report itself, it appears that driver
was arrested from the place of occurrence. It is also mentioned
that the driver disclosed the name of owner of truck before the
police stating that after deleting the registration number JH 10G
2151 from the truck, number JH 02L 9093 was tagged.

Counsel for the petitioner submits that petitioner
was not present at the place of occurrence. He is owner of truck



bearing registration no. JH 02L 9093, which has already been seized by the police.

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 **Sasaram (M) P.S. Case No.573 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 **Chief Judicial Magistrate, Rohtas at Sasaram**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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