

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45497 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -BARUN District- AURANGABAD

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Upendra Singh, son of Gaya Singh, resident of village- Dhankatha, P.S.-
Sasaram Muffasil, District- Rohtas (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 03-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Barun P.S.**

Case No.116 of 2018 instituted for the offence under Sections
379, 411, 420 of the Indian Penal Code, Sections 4, 40 of
BMMCR and Section 15 of Environmental Protection Act.

Counsel for the petitioner has submitted that petitioner
is owner-cum-driver of the seized tractor bearing No.BR24 GA
4919 which is alleged to have been seized, but was not loaded
with sand.

As per prosecution case, the raid was conducted and
27 tractors engaged in illegal mining and trafficking of sand, were
seized.

Considering the facts and circumstances of the case,
prayer for anticipatory bail of the petitioner is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Barun P.S. Case No.116 of 2018**, 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 learned **Chief Judicial Magistrate, Aurangabad**, 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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