

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15207 of 2018

Arising Out of PS.Case No. -140 Year- 2017 Thana -BIND District- NALANDA
(BIHARSHARIFF)

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Mantu Jamadar, S/o Late Chamari Jamadar, R/o Village- Bind, P.S.- Bind,
District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bind P.S. Case No. 140 of 2017** instituted for the offence under Section 379 of the Indian Penal Code and Sections 4/40 of Bihar Minerals Concession Rules 1972 and Section 8 (d) of Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

It is alleged in the written report that on the date of occurrence the police reached besides Jirayan river, west of Bind High School and found one person who was loading sand in the trailer of the tractor started running away. The person present there disclosed name of that person as petitioner who succeeded in fleeing away. As such, petitioner was not present on the spot. His name has been disclosed to the informant by the person present there.

It is mentioned in paragraph-3 of the bail petition that



petitioner has no criminal antecedent.

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 **Bind P.S. Case No. 140 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 learned **Additional Chief Judicial Magistrate, IVth, Nalanda at Bihar Sharif**, 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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