

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38954 of 2018

Arising Out of PS.Case No. -155 Year- 2018 Thana -NABINAGAR District- AURANGABAD

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1. Chitranjan Kumar Singh, S/o Baban Prasad Singh, resident of Village- Sonbarsha Khaira, P.S.- Mali District- Aurangabad.
 2. Sabita Devi, W/o Ashok Singh, Resident of Village- Koshdihra, P.S.- Nabinagar, District- Aurangabad.
 3. Ashok Singh, S/o Sideo Singh, Resident of Village- Koshdihra, P.S.- Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioners and learned
A.P.P.

The petitioners seek anticipatory bail in connection with Nabinagar P. S. Case No. 155 of 2018, registered for offences punishable under Sections 379, 411 of the Indian Penal Code and Section 40 of Bihar Mining Act.

Allegation against the petitioners is that they have loaded the illegal sand without any number and after seeing the police, they fled away.

Learned counsel for the petitioners submitted that the petitioner No.1 is driver and owner of the tractor, petitioner No. 2



is also owner of the other tractor and petitioner No. 3 is driver of the tractor and they have falsely been implicated in this case and the petitioners have no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection Nabinagar P.S. Case No. 155 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Aurangabad, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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