

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19242 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -NARARI KALA KHURD District-
AURANGABAD

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Jai Prakash Singh @ Jai Prakash Kumar, Son of Jugeshwar Singh @
Jugeshwari Singh, Resident of Village- Adma, Rastipur Charan, P.S.-
Narari Kala Khurd, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Narari Kala Khurd P.S. Case No. 05 of 2018 registered for the
offences punishable under Sections 379, 411, 420 of the Indian
Penal Code and Sections 3, 4, 5 of Bihar Illegal Mines Act.

It is stated that two tractors laden with sand were
recovered and one person was caught whereas another driver of
the tractor managed to escape from there. Petitioner happens to be
owner of one of the seized tractors.

Submission on behalf of the petitioner is that
Sections 379, 411 and 420 of the Indian Penal Code are not



applicable and so far as remaining sections are concerned, the same are bailable in nature and moreover, there is nothing on the record to show that tractor in question was being driven by the petitioner at the relevant time.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Narari Kala Khurd P.S. Case No. 05 of 2018 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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