

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27705 of 2018

Arising Out of PS.Case No. -69 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Pankaj Kumar, S/o Rajendra Singh, R/o Vill.- Panpur, P.S.- Mohniya, District- Kaimur (Bhabhua) (Bihar).
 2. Neeraj Kumar Gonda @ Neeraj Kumar S/o Prem Shankar Gonda, R/o Baraitha, P.S.- Kaimur (Bhabhua), District- Bhabhua (Bihar) At present R/o Vill.- Chitahi Akauni, District- Mirjapur.
 3. Lalan Singh S/o Devnath Singh,
 4. Sunil Kumar S/o Lalan Singh, Both 3 and 4 are R/o Vill.- Tirojpur, P.S.- Durgabati, District- Kaimur (Bhabhua) (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Barun P.S.Case nO.69 of 2018 , registered for offences punishable under Sections 379, 420/34 of the Indian Penal Code and Section 4/40 BMMC Rules, 1972.

Allegation against the petitioners, who happen to be owner and driver of the tractor, is about transportation of sand illegally.

Submission of the learned counsel for the petitioners is that the petitioners owner and driver, they were not present at the place of occurrence and they have been falsely implicated in this case. They are ready to abide by any condition imposed upon them.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S.Case no.69 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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