

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27680 of 2018

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

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1. Kamal Kishore Singh S/o Ramadhar Singh, R/o Vill.- English , P.S.-
Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioner is apprehending his 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.

Allegation against the petitioner, who happens to be driver of the tractor, is about transportation of sand illegally.

Submission of the learned counsel for the petitioner is that the petitioner is driver, he was not present at the place of occurrence and he has been falsely implicated in this case. He is ready to abide by any condition imposed upon him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



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

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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