

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18806 of 2019

Arising Out of PS. Case No.-272 Year-2017 Thana- DALSINGHSARAI District- Samastipur

Chhabbu Rai, Son of Late Jai Prakash Rai, Resident of Village and P.O-
Chaita, Police Station-Angar Ghat, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. Rajeev Nayan (APP 231)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 28-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of
Dalsingh Sarai Police Station Case No. 272 of 2017, disclosing
offences punishable under Section 379 of the Indian Penal Code
and Section 40 of the Bihar Minerals Rule 1972.

A truck bearing registration no. BR-01GB/8082 was
seized by the In-charge Mining Officer, Samastipur, which was
found loaded with stone chips. The driver of vehicle did not
produced any valid challan in respect of the said stone chips.
The petitioner is the owner of said truck.

Learned counsel, appearing on behalf of the petitioner
has submitted that there is no allegation that the petitioner's



truck was being used for illegal purpose with his consent or within his knowledge. He has also submitted that the driver of the said vehicle has been released on bail.

Considering the facts and circumstances, as noted above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand), with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Dalsingh Sarai, District-Samastipur in connection with Dalsingh Sarai Police Station Case No. 272 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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