

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79716 of 2018

Arising Out of PS. Case No.-227 Year-2018 Thana- BARUN District-
Aurangabad

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Chandan Kumar Son of Late Pramod Singh Resident of Village - Kochadh,
P.S.- Barun, District - Aurangabad

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 379, 411, 420/34 of the Indian Penal Code, 4/40 BMMCR Rules & 15 of Environmental Protection Act registered in connection with Barun P.S. Case No. 227 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the owner of the tractor which was loaded with sand. It is submitted that the petitioner was not caught on the spot and the tractor was recovered from the possession of the driver and the petitioner had no knowledge about the activities of the driver. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 227 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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