

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23052 of 2019**

Arising Out of PS. Case No.-49 Year-2016 Thana- SARAI District- Vaishali
=====

KRISHNA KUMAR, aged about 45 years, male, Son of Satya Narayan Singh
Resident of Village - Mahaddichak, Madhopur, P.S.- Bihta, Distt - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan No.II, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 379 of the Indian Penal Code registered in
connection with Sarai P.S. Case No. 49 of 2016.

3. It is submitted that the petitioner who is the truck
owner, has been falsely implicated along with the truck driver on
the accusation that the two persons drove away with the truck
loaded with sand kept seized in the police station. It is submitted
that similarly situated co-accused Riteshwar Kumar @ Bhim
Kumar who is the driver of the truck has been granted
anticipatory bail by this Court in Cr. Misc. No. 20753 of 2019. the
petitioner claims clean antecedents.

4. Be that as it may, 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 Additional Chief Judicial Magistrate-



XIII, Vaishali at Hajipur in connection with Sarai P.S. Case No. 49 of 2016, 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) That 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) That 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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