

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27391 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- SUIYA District- Banka

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1. DHARMENDRA YADAV @ DHARMA YADAV @ DHAMA YADAV Son of Shital Yadav, Resident of Village - Bhelwa, P.S.- Suiya, District - Banka.
 2. Ashok Yadav Son of Yogendra Yadav, Resident of Village - Mehadi, P.S.- Suiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Suiya Case No. 4 of 2019 registered for offence punishable under sections 379, 411 of the Indian Penal Code, 4/40 of B.M.M.C Rules, 1972 and 3, 6, 8 of B.M.M.C. Rules and 4/21 (1) (21) 4 (A) MMRD Act, 1957.

The petitioners were illegally carrying sand without proper document. They have no criminal antecedent.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six



weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Banka in connection with Suiya Case No. 4 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves. In case of failure, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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