

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85622 of 2019

Arising Out of PS. Case No.-157 Year-2019 Thana- ISLAMPUR District- Nalanda

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KISHLAY KUMAR, Son of Kaushlendra Prasad Singh @ Kaushlendra Singh, Resident of Village - Chandra Natai, P.S. - Khudaganj, District - Nalanda. At present resident of South Patel Nagar, Islampur, P.S. - Islampur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 379 of the Indian Penal Code, Sections 4/40 and 3/4/16 of the Minor and Mineral Act, 1972 and Section 19 of the M.D.R. Act 4(1)a.

Petitioner is owner of the truck which was carrying sand without any authority or purchase receipt. Driver was arrested at the time of seizure. There is no material to substantiate that the petitioner is going to tamper with the evidence or abscond the process of law.

Considering the nature of allegation and the fact that the petitioner was not there at the time of seizure, let the



petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Islampur Police Station Case No. 157 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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