

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21882 of 2023

Arising Out of PS. Case No.-664 Year-2022 Thana- KHAGARIA District- Khagaria

1. SUDHIR KUMAR CHOUDHARY SON OF MAHADEO CHOUDHARY
RESIDENT OF VILLAGE - AVAS BOARD, SANHAULI, WARD NO. 19,
P.S. - KHAGARIA, DISTT. - KHAGARIA
2. VIKASH YADAV SON OF BECHAN YADAV RESIDENT OF VILLAGE -
AVAS BOARD, SANHAULI, WARD NO. 19, P.S. - KHAGARIA, DISTT. -
KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 379 and
411 of the Indian Penal Code.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and are owner and
driver of the tractor which was found laden with illegal sand.
The learned counsel submits that the offence is compoundable
and the owner of the tractor is willing to compound the offence
by depositing the compounding fee as per the allegations
alleged in the FIR.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Khagaria (Muffasil) P.S. Case No. 664 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bonds of the petitioner shall verify whether the petitioner has paid the compounding fee to the Department of Mines or not and in the event if no receipt is submitted at the time of surrender showing payment of the compounding fee then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Adnan/-

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