

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27702 of 2015**

Arising Out of PS.Case No. -51 Year- 2015 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Md. Gulzar @ Md. Gulzar Mian @ Md. Guljar @ Guljar Mian Son of  
Jawahir Ali, Resident of Village - Chaingadda, P.S. - Patratu, District -  
Ramgarh (Jharkhand).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Rana Randhir Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

2      22-07-2015                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

The petitioner is apprehending arrest in a case  
registered for the offences punishable under sections 379, 414,  
420, 467, 471, 120(B) of the Indian Penal Code and section 21 of  
Air Prevention and Control of Pollution Act, 1981.

It is alleged that coal was being transferred from  
one truck to another D.C.M. truck. The driver of both the trucks  
disclosed their name as Deodip Prasad Mahto and Sanjay Kumar  
who disclosed the name of the petitioner and one Dharmendra  
Singh as the owners of the truck.

It is submitted by the learned counsel for the

petitioner that even assuming, no offence is made out against the petitioner as he is simply an owner of one of the trucks. The petitioner was not present on the place of seizure. The seizure list does not bear the signature of the driver. Statement has been made in paragraph 8 of the petition that the petitioner had authorized the driver to run the public carrier.

Considering the abovementioned facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (Indus) P.S. Case No. 51 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

**(Dinesh Kumar Singh, J)**

Amin/-

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