

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39965 of 2015

Arising Out of PS.Case No. -437 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

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Deepak Kumar Son of Nawal Kishore Singh R/o village Bhadaus, p.s
Sirari, Distt Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mr. U.S.P Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 09-11-2015 Heard both sides.

The petitioner apprehends his arrest in Sheikhpura P.S.
Case No. 437/2014, registered for the offences punishable under
Sections 379, 413 of the Indian Penal Code. Section 4 of Mines
and Minerals (R &D) Act, 1957, Sections 4, 40 of B.M.M.C.
Rules, 1972, Rule 8 of Bihar Mines (Prevention of illegal mining
transportation and storage) and Section 3(2)(d) of Prevention of
damage of public property Act.

The petitioner is proprietor of crusher machine. The
crusher machine of the petitioner was found near Kare Road and
35 tailor bolder (Crushed) and stone chips were also found.

It is submitted that the petitioner has a license of the
crusher. Learned Sessions Judge has rejected the anticipatory bail

petition of the petitioner. From perusal of Annexure-2, it appears that the petitioner was authorized for selling storage stone for stone crusher in Mauza-Kare. The petitioner is paying tax for the crusher machine.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 437/2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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