

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42636 of 2015

Arising Out of PS.Case No. -129 Year- 2015 Thana -BUXAR INDUSTRIAL District- BUXAR

Mahendra Rai, son of Late Rajendra Rai, resident of village - Darahpur,
P.S. - Industrial Area, District - Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 12-10-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Industrial Area P.S. Case No.129 of 2015 registered under Sections 379, 414 and 120(B) of the Indian Penal Code besides Section 21 of the Air Prevention and Control of Pollution Act, 1981.

The prosecution case is that on patrolling duty when the police reached near the brick kiln of one Raju Chaubey, police found three persons, namely, Shrawan Rajbhar, Pankaj Kumar, Jaigovind Ram preparing the coal by burning the raw coal in the field, adjacent to the brick kiln of one Raju Chaubey . The

aforesaid three persons were apprehended by the police who disclosed that the field is belonging to the petitioner and also recovered 45 quintals coal from there.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in this case due to the confessional statement of the aforesaid three persons, who are said to be apprehended by the police at the time of preparing the coal by burning the raw coal in the filed, adjacent to the brick kiln of one Raju Chaubey. It is further submitted that the petitioner has no criminal antecedent and the alleged filed does not belong to the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Industrial Area P.S. Case No.129 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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