

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40472 of 2015

Arising Out of PS.Case No. -142 Year- 2015 Thana -MANSI District- KHAGARIA

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Santosh Yadav Son of Late Rajniti Prasad Yadav, R/o Village - Saidpur,
P.S. - Mansi, District - Khagaria, Proprietor of Shalu Brick Kiln.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chandan Kumar Kashyap, Advocate.

For the Opposite Party : Mr. S. Eheteshmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

On information the police apprehended a tractor loaded with soil which was taken from inside the embankment of Baghmati river. The driver of the tractor namely Ajay Thakur disclosed he was carrying the soil for Shalu Brick Kiln.

It is submitted that the petitioner is, of course, owner of Shalu Brick Kiln, but his brick kiln was closed and the petitioner did not ask the driver to carry the soil from inside the embankment of Baghmati river. The name of the petitioner figured in the case in the disclosure made by Ajay Thakur. The petitioner is neither

owner of the tractor nor responsible for carrying the soil.

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 bail 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, Khagaria in Mansi P.S. Case No. 142 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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