

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52477 of 2015

Arising Out of PS.Case No. -231 Year- 2015 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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Harendra Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 27-11-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sheosagar (Baddi) P.S.Case No. 231 of 2015 registered for offences punishable under Sections 120 (B), 379, 411 of the Indian Penal Code, 4/44 of Mining Act and 41, 42, 51, 52 and 33 of the Forest Act.

The prosecution case as per written fardbeyan of one Dharmendra Kumar, Officer-in-Charge of the Baddi O.P. is that on 03.9.2015 at about 1 A.M. he was on patrolling duty along with other police officials. On a secret information that some truck loaded with stone chips coming from Karwandiya going to Majhui village, he saw four Dumphers. He stopped all the vehicles and demanded papers with regard to the loaded stone but they did not show any papers so he arrested all the persons and seized all vehicles after preparing the seizure list and lodging the present

case.

It has been submitted by the learned counsel for the petitioner that the petitioner is rightful owner of the vehicle (Dumphier) bearing registration No. JH 12B-7493 and he had a valid challan issued from M/s Ma Sarveshwari Stone Chips, Palamu, Jharkhand Proprietor Niranjana Kumar but the driver failed to show the challan and the owner book.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of four weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sheosagar (Baddi) P.S. Case No. 231 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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