

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44622 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -MARANCHI District- PATNA

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Arbind Prasad Singh @ Arbind Singh son of Late Ramotar Singh resident
of village + P.O. + P.S. - Maranchi, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. P.Pandit , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Maranchi P. S. Case No. 40 of 2015 registered under Sections
379/34, 420 and 406 of the Indian Penal Code as well as Sections
4 and 26(a) of the Bihar Minor Mineral Concession Rules, 1972.

According to the prosecution case, the petitioner was
found running a brick-kiln without obtaining licence in this regard
from the Mining Department.

It is contended that the petitioner was a licence during
the financial year 2013-14 and as his application for grant of no
objection certificate from the Bihar State Pollution Control Board
was rejected, he had closed the brick-kiln during the financial year

2014-15. It is further contended that there is no evidence to show that the bricks kept at the brick-kiln, were manufactured during the financial year 2014-15.

Learned counsel for the State has opposed the application of the petitioner filed under Section 438 of the Code of Criminal Procedure.

Be that as it may, taking into consideration the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in Maranchi P. S. Case No. 40 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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