

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25399 of 2015

Arising Out of PS.Case No. -51 Year- 2015 Thana -RAJAUN District- BANKA

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1. Subhash Chandra Raw @ Subhash Raw S/o Late Keshav Lal Raw
Resident of Village/Mohalla - Majhgay, Post Office - Rupsa, District -
Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. R.N. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 279, 304A, 379, 411 and 432 of the Indian Penal Code read with sections 40, 33 of the Bihar Minor Mineral Concession Rules, 1972, section 33 of the Mines & Minerals (Development & Regulation) Act, 1957 and Rule 4,5 and 6 of the Bihar Minerals (Prevention of illegal Mining, Transportation and Storage) Rules, 2003.

It is alleged that a tractor loaded with sand ran over the son of the informant causing death on the spot.

It is submitted by learned counsel for the petitioner that tractor, in question, is registered in the name of son of the petitioner, namely, Prem Kumar. Moreover, the alleged tractor

was driven by the driver on the alleged date of occurrence.

Considering the aforesaid fact, let the above named petitioner be released on provisional anticipatory bail for four months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Rajaun P.S. Case No.51 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that the tractor, in question, was not registered in the name of the petitioner on the date of incident.

(Dinesh Kumar Singh, J)

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