

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29518 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -RISHIYAP District- AURANGABAD

1. Manjay Kumar Singh Son of Late Triveni Singh, resident of Village Jaipur, P.S.- Mali, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Indu Bala Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015

Heard learned counsel for the petitioner and

learned A.P.P for the State.

Petitioner apprehends his arrest in a case registered under sections 379, 411, 420, 120(B) of the Indian penal Code.

Prosecution case in short is that on getting information that at Dusadh Ghat the sand is being carried illegally he seized there one tractor without number plate. The informant demanded paper of the tractor from the driver but no paper was produced and no licence for carrying the sand was produced.

It has been submitted on behalf of the petitioner that petitioner has no criminal antecedent. It is further submitted that the Provision of Indian Penal Code is not attracted in the

present case as the offence alleged is under Bihar Illegal Mining Act and the provisions of Illegal Mining Act are bailable. It is further submitted that the petitioner is owner of the tractor.

On behalf of the State it is submitted that petitioner is named in the first information report.

Considering the aforesaid facts, the above named petitioner in the vent 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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Risiup P.S. Case No. 10 of 2015, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

M.Rahman/-

U		T	
---	--	---	--