

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17859 of 2015**

Arising Out of PS.Case No. -63 Year- 2013 Thana -SIMRI BAKHTIARPUR District- SAHARSA

Ram Bharosh Yadav @ Ram Bharos Yadav, S/o Chandeshwari Yadav,  
resident of Village- Gopalpur, P.S.- Bakhtiyarpur, District- Saharsa.  
.... Petitioner.

Versus

The State of Bihar. .... Opposite Party.

**Appearance :**

For the Petitioner : Mr. Bhaskar Shankar, Adv.

For the State : Mrs. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH**  
**ORAL ORDER**

02 09-06-2015

The petitioner apprehends his arrest in Bakhtiyarpur P.S.

Case No.63 of 2013 instituted under Section-379 of the Indian  
Penal Code, Section-4 of the Bihar Mines Act and 26A of the  
Bihar Mines Minerals Rules.

The allegation is that the petitioner runs a brick kiln  
without obtaining licence from the mining authorities.

Learned counsel for the petitioner points out that so far  
as the offence is concerned, it is a special offence under the  
provisions of the Bihar Mines and Minerals Regulation Act and  
the Bihar Mines and Minerals Rules where a punishment is only of  
six months that is why Section-379 IPC has been added to make it  
non-bailable.

Be that as it may, in the event of arrest or surrender  
within four weeks from today, the petitioner, namely, Ram  
Bharosh Yadav alias Ram Bharos Yadav, shall be released on bail

on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Bakhtiyarpur P.S. Case No.63 of 2013, subject to all conditions as laid down in Section-438(2) of the Criminal Procedure Code.

**(Navaniti Prasad Singh, J.)**

Trivedi/-

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