

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22982 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -NARDIGANJ District-
NAWADA

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1. Vijay Kumar @ Bijay Kumar, son of Sri Suresh Yadav,
resident of Mohalla-Imadpur, P.S.-Biharsharif, District-
Nalanda at Biharsharif.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kr. Roy (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 24-05-2016 Heard the parties.

This application, for grant of regular bail, arises
out of Nardiganj P.S. Case No.26 of 2016, disclosing
offences under Section 379 of the Indian Penal Code,
Section (Rule) 40 of the Bihar Minor Minerals Concession
Rules, 1972 and Section (Rule) 8 of the Bihar Mineral
Illegal Mining, Transportation, Storage Rules, 2003.

A written report of the Assistant Director,
Nawada, addressed to the Officer-In-Charge, Nardiganj



police station, is the basis for registration of the First Information Report. The petitioner is the driver of a truck, bearing registration No.BR21G/1145. It is alleged that on the basis of secret information, a raid was conducted and it was found that, in violation of the Bihar Minor Mineral Concession Rules, 1972, certain persons were involved in extracting sand from Bhadaur Balu Ghat.

Learned counsel, appearing on behalf of the petitioner, referring to the First Information Report and seizure list, has submitted that no sand was, in fact, found loaded in his truck though by way of interpolation in the First Information Report, it has been mentioned therein that the sand was being loaded in his truck also. He has further submitted that the petitioner has no criminal antecedent and there is no likelihood that he will flee away from the course of trial, if he is granted the privilege of regular bail.

Considering the nature of allegation and the submissions, as above, this application is allowed. The petitioner, abovenamed, 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 Sub-Divisional Judicial Magistrate, Nawada or its successor Court**, in

connection with **Nardiganj P.S. Case No.26 of 2016**
(G.R. No.761 of 2016).

This is subject to the condition that the petitioner, abovenamed, shall present himself before the police/Court, as the case may be, as and when required, and in the event of failure on his part to appear before the Court, on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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