

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22930 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -MUFFASIL District- AURANGABAD

1. Pankaj Sao S/o Sita Ram Sao, resident of Village- Lal Bigha, P.S.-
Muffasil, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Parmanand Prasad (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-06-2016 Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and Sections 3, 4, 5 of the Bihar Mines Act.

The prosecution case is that two tractors carrying sands were intercepted on suspicion of conducting illegal mining when one of the tractor driver namely Arun Kumar Yadav was apprehended while others escaped from the scene. The apprehended driver disclosed the name of the petitioner as owner of one of the tractors.

It is submitted by learned counsel for the petitioner that admittedly the petitioner was not aware about sand being carried by the tractor. This is not the case of the prosecution that petitioner was on the tractor when the seizure was made.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 35 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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