

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23832 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MAGADH UNIVERSITY District- GAYA

Dalbeer Singh Son of Manik Singh Resident of Village- Matihani PS
Magadh University Bodh Gaya. District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Madhuri Lata(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 30-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 414 of the Indian Penal Code, 4/20 of The Mines and Mineral (Development of Regulation) Act, 1957, Rule 4/40 of The Bihar Minor Mineral Concession Rules, 1972 and Rule 5(a) (c) & 8(b) of The Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

The prosecution case is that the informant being Assistant Director, Mines and Geology Department, Gaya, written a letter to the Magadh University Police Station for prevention of illegal mining when four tractors loaded with sand

were intercepted, leading to registration of First Information Report. Though, the petitioner was not named in the First Information Report, but the name of the petitioner sprang up during investigation as owner of one of the four seized tractors.

It is submitted by learned counsel for the petitioner that admittedly the petitioner was not present at the place of seizure. The petitioner is simply owner of the public carrier. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya in connection with Magadh University P.S. Case No. 17 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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