

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32868 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -HISUA District- NAWADA

=====

Chunnu Singh, Son of Late Arun Kumar Singh, Resident of village -
Bagodar, P.S. Hasua, District - Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Hansraj, Advocate.

For the Opposite Party : Mr. Mukteshwar Dayal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2016 Learned counsel for the petitioner is permitted to make

necessary correction in paragraph no. 3 of the petition in light of

supplementary affidavit filed on behalf of the petitioner, in course

of the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Hisua P.S. Case No. 97 of 2016 for the offences instituted
under Section 379 of the IPC, 40 of Bihar Minor Mines
Concession Rule, 1972 and 8 of Bihar Mineral Illegal Mining
Transportation Storage Rule, 2003.

The prosecution story, in brief, is that on information, the
informant caught one Tractor with Tailor on which sand has been



loaded and one JCB Machine alongwith driver. The driver confessed his guilt and on his confessional statement, illegal lifting of the sand is being done under the direction of this petitioner.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The allegation made in the FIR is denied by the petitioner. There is no compliance of Section 100 of Cr. P.C. It is further submitted that the petitioner is ready to deposit an amount of Rs. 40,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 40,000/- in the court below which shall be subject to final disposal of the case within a period of eight weeks from the date of receipt/production of copy of the order and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of eight weeks from the date of receipt/production of copy of the



order in connection with Hisua P.S. Case No. 97/2016 on
furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two
sureties of the like amount each to the satisfaction of the learned
C.J.M., Nawada, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)

