

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25707 of 2016

Arising Out of PS.Case No. -426 Year- 2014 Thana -WAJIRGANJ District- GAYA

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Ajay Kumar, son of Late Baleshwar Singh, resident of Mohalla- Rajendra Ashram, P.S. Civil Lines, District-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.- 4, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

2 05-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under Sections 406, 420/34 of the Indian Penal Code and Section 40 of the Bihar Mines Mineral Act as well as Section 33 of the Forest Act.

Allegation is that there was illegal mining of stones of Bodhchak mountain. A raid was conducted and all the standing trucks were seized and the drivers fled away.

The petitioner is the owner of the vehicle. He submits that he had the necessary challan for carrying the stones loaded from Bodhchak mountain. However, the officials were not ready to look at it and even bent to arrest. The challan was also produced before the Sessions Judge.

Having regard to the facts of the case, in the event of

arrest or surrender before the court below within four weeks from today the above named petitioner be released on bail on furnishing bail bond of Rs.5000/- (five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Wazirganj P.S. Case no. 426 of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C. with the further condition that one of the sureties would be in form of cash deposit.

(Samarendra Pratap Singh, J.)

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