

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29964 of 2016

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

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Md. Anjum Akhtar Son of Md. Mustaq Alam Resident of Village- Makhar,
P.S. Akbarpur, District Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Deepak Kumar

For the Opposite Party : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-08-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Nardiganj P.S. Case No. 26 of 2016 registered for the offences
punishable under Sections 379 of the Indian Penal Code and
Section 40 of the Bihar Minor Mineral Concession Rules, 1972
and Section 8 of the Bihar Minerals (Prevention of illegal Mining,
Transportation and Storage) Rules, 2003.

Learned counsel appearing on behalf of the petitioner
submits that he is the owner of Porcelin Machine, which is alleged
to have been used in the digging of sand at Balu Ghat, where the
Green Tribunal had already issued prohibitory order. It is further
submitted that so far as the petitioner is concerned, he has no role

to play as he only used to give on contract the machine, after taking payment. He is not at all concerned about where and for what purpose, the said machine is being hired from him.

Considering the facts and circumstances of the case and that the petitioner has got no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Nawada in connection with Nardiganj P.S. Case No. 26/2016 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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