

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45985 of 2017

Arising Out of PS.Case No. -190 Year- 2017 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Kamlesh Prasad, son of Late Dukhi Prasad, resident of village Jalalpur, P.S.
Noorsarai, District Nalanda (Bihar). Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Noorsarai P.S. Case No.
190 of 2017 registered under Section 379 of the Indian Penal Code
and Section 4/5/6/7 of the Bihar Illegal Transportation and Storage
Prevention of Rule, 2003 and Section 4/40 of Bihar Mining
Concession Rule, 1972.

Petitioner is said to have been apprehended while
transporting the sand illegally on the tractor with forged challan.

It is submitted by learned counsel for the petitioner
that the petitioner happens to be the driver of the tractor. He has
no concern with any business of illegal mining or with the sand.
The aforesaid challan was handed over to him by the owner of the
tractor. He has no knowledge about the contents of the challan



being an illiterate person. He has been languishing in custody since 26.07.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Nalanda, Bihar Sharif in connection with Noorsarai P.S. Case No.190 of 2017.

(Prakash Chandra Jaiswal, J)

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