

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9337 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -RANIGANJ District- ARRARIA

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Md. Kamal Akhter, S/o late Istiyak, resident of Village- Satbhita , P.O. Baigachhi, P.S.Araria, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party/s : Smt Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Raniganj P.S.

Case No. 52 of 2016 instituted for the offence under Sections 406, 420 and 34 of the Indian Penal Code.

It has been alleged that brick kiln belonging to the petitioner was found running without making payment of the consolidated amount of royalty which is contravention of Section 26 of Bihar Mines and Mineral Concession Rule, 1972.

It has been submitted on behalf of the petitioner that he deposited dues amount along with interest by Bank Drafts which is apparent from Annexures-2 and 3 enclosed with the petition. Besides the allegation of running brick kiln without making payment of royalty, there is no specific overt act alleged



against the petitioner. It has been submitted in paragraph-3 that the petitioner has clean antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Raniganj P.S. Case No. 52 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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