

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28708 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -PAUTHU District- AURANGABAD

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1. Rakesh Ranjan S/o Haridwar Pandey R/o Village Bairwa Loknath,
P.S.Mali, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and Section 40 of the Bihar Minor Mineral Concession Rules, 1972.

Allegation against the petitioner is that the petitioner was running a brick kiln without licence or no objection on pollution certificate. The aforesaid discrepancy was detected on 25.04.2017.

Submission of the learned counsel for the petitioner is that Annexure-2 series would reveal that the petitioner had already applied for registration of the industry on 24.02.2016 itself.



Moreover, application for pollution certificate was already there pending before the inspection vide Annexure-4.

In the circumstances, prima facie, allegation is based on suspicion, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/successor Court in connection with Pauthu Police Station Case No. 34 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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