

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16759 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -BIHTA District- PATNA

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Pramod Kumar Son of Keshav Prasad Singh, Resident of Village-Maner
Tola, Maner, P.S.-Maner, District-Patna.

.... Petitioner

Versus

1. The State of Bihar
2. The District Mining Officer, Patna at Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Jogendra Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

Mr. Rajendra Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 07-07-2017 Heard Sri Jogendra Kumar, learned counsel for the

petitioner, learned Addl. Public Prosecutor and Sri Rajendra
Prasad, learned counsel, who has appeared on behalf of Opp.Party
no.2.

The petitioner, apprehending his arrest in Bihta P.S.
Case No.05/17 registered for the offence under Sections 147, 149
379, 120(B) of the Indian Penal Code and Sections 39,40, 41 of
the Mining Act , has prayed for grant of anticipatory bail on the
plea that the petitioner has been made accused only on the ground
that he is owner of Pokelane Machine, which was found mining
of sand illegally at the Koilwar. He submits that his vehicle is
being used on hire and, as such, owner of the vehicle was not



aware as to whether his vehicle was being used in illegal act.

Sri Rajendra Prasad, learned counsel for Opp.Party no.2 has opposed the prayer of the petitioner. By way of referring to the facts disclosed in the counter affidavit, he submits that the petitioner is admittedly owner of the vehicle in question and, as such, the petitioner may not be extended the privilege of anticipatory bail.

Considering the facts and circumstances and nature of accusation, let the petitioner, namely, Pramod Kumar, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No.05/2017, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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