

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34962 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -RISHIUP District- AURANGABAD

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Surendra Mehta Son of Late Kailash Mehta, R/o Village- Said Bigha
(Chorha Tola), P.S.- Simra, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 10-08-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Risiyap P.S. Case No. 30 of 2017 for the offences punishable under sections 406 and 420 of the I.P.C and section 40 of the Bihar Minor and Mineral Concession Rule, 1972.

Allegedly, the petitioner and others were running brick kiln without paying the government tax and further without obtaining proper certificate in this regard.

Submission is of false implication and that the petitioner has already deposited the amount of tax as it would appear from Annexures-2 series, the petitioner has sold the said



brick kiln to Ram Swaroop Singh, vide Annexure-3 and Ram Swaroop Singh has also deposited tax in the government account and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. after going through the annexures fairly submits that the petitioner has deposited the tax.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. A.C.J.M-VIII, Aurangabad in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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