

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45687 of 2017

Arising Out of PS. Case No.-32 Year-2017 Thana- MALI District- Aurangabad

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Brij Mohan Mahto Son of Late Kameshwar Mahto, R/o Village- Bairiya,
P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh, Advocate
For the State	:	Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 406 and 420 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner were running brick kilns without obtaining licence
and no objection certificate from the respective departments
inspite of direction of the Bihar Pollution Control Board, Patna
to close the brick kiln.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been made accused due to mistake of fact. Vide
Annexure-2 to the present application, the petitioner had already



complied with the provisions of law in respect to deposit of licence fee. Other co-accused have been granted anticipatory bail vide Cr.Misc.No.44418 of 2017, Cr.Misc.No.28393 of 2017 and Cr.Misc.No.35558 of 2017.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Mali P.S. case No.32 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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