

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41297 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -KARAI PARSARAI District- NALANDA
(BIHARSHARIFF)

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Sanjit Kumar @ Sujit Kumar, S/o Mundari Yadav, R/o Village- Lachu
Bigha, P.S.- Dhanaura, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Assistant Director, Mines & Geology Department, Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anujit Kumar, Advocate.
For the opposite party No.2 : Mr. Rajendra Prasad, Advocate.
Special P.P. Mines.
For the State : Mr. Anant Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Karai Parsurai P.S.

Case No. 41 of 2017 instituted for the offence under Section 379 of the
Indian Penal Code, Sections 4 and 40 of Bihar Minor Mineral
Concession Rules, 1972 and Section 8 of Bihar Minerals (Prevention of
Illegal Mining, Transportation & Storage) Rule, 2003.

It has been submitted that petitioner was driver of Truck
No. BR-01-GF-9501. The truck was standing empty and nothing was
loaded in the said truck.

The other accused persons with similar allegation, namely,
Sujeet Kumar, Chunnu Singh and Rajiv Kumar have been granted
anticipatory bail by a coordinate Bench of this Court vide order dated



10.08.2017 passed in Cr. Misc. 36228 of 2017 and co-accused Rinku Kumari has been granted anticipatory bail by this Court vide order dated 24.08.2017 passed in Cr. Misc. 38775 of 2017.

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 Karai Parsurai P.S. Case No. 41 of 2017, 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 Judicial Magistrate, 1st Class, Hilsa, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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