

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46002 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -JAMHORA District- AURANGABAD

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Suresh Mehta S/o Late Sukan Mehta, R/o Village-Bela P.S.-Muffasil,
Dist.-Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 03-10-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Jamhore P. S. Case No. 43 of 2017 registered under Sections
406 and 420 of the Indian Penal Code and 40 of Bihar Minor
Mineral Act.

It is submitted by the learned counsel for the
petitioner that the petitioner is a brick kiln owner and has
already deposited Rs.80,000/- as advance royalty for running
brick kiln. He submitted that the offence alleged would not be
attracted against the petitioner as required fee has already been
paid and the required application has also been filed within time
before the Pollution Control Board.



Learned counsel for the State does not dispute the factum of deposit of advance royalty.

Considering the nature of allegation and the submissions made before this Court, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Jamhore P. S. Case No. 43 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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