

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24837 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -BARUN District- AURANGABAD

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1. Ravi Kumar, son of Surendra Singh, resident of Village- Subabigha, P.S.-
Dehri-on-Sone, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. 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. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 24-07-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Baroon P.S. Case NO. 17 of 2017, disclosing offences under Sections 420,379,411,120B of the Indian Penal Code and Sections 3,4,5 of the Bihar Mines Act and also under Sections 33/41/42 of the Forest Act.

The petitioner is owner of a truck bearing registration No. BR 01G 1769. While the said truck was being used for the purpose of illegal mining, this vehicle and other vehicles were seized, which were found carrying stone chips.

Learned counsel for the petitioner has submitted that petitioner was not knowing that his truck was being used for some illegal purpose and there is no material on record to suggest that it was within his knowledge.

Learned Senior counsel appearing on behalf of Mines



Department, has vehemently opposed the prayer for anticipatory bail.

However, considering the submissions advanced on behalf of the petitioner that he did not have any knowledge about the stone chips being carried by his vehicle, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned Chief Judicial Magistrate, Aurangabad in Baroon P.S. Case No. 17 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

This is also subject to the condition that his bail bond shall be liable to be cancelled, if he found indulging in similar activities and made accused in a criminal case of the same nature. In that event, the State shall be at liberty apply for cancellation of bail.



(Chakradhari Sharan Singh, J)

ArunKumar/-

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