

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50512 of 2017

Arising Out of PS.Case No. -520 Year- 2017 Thana -BIHTA District- PATNA

=====

1. Dilip Kumar aged 32 Years Son of Sri Murari Rai, R/o Village- Suwar Marwa, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunit Kumar Srivastava, Adv.

For the Opposite Party/s : Mr. Sri Satyavarat Verma, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 03-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bihta Police Station Case No. 520 of 2017, disclosing offences under Sections 147, 148, 149, 406, 379 and 120(B) of the Indian Penal Code and Section 4/21 of the MMDR Act, 1957 and Section 4/40 of the Bihar Mines Minerals Concession Rules, 1972 and also Section 8 of Bihar Minerals and Prevention of illegal Mining Transportation Rules, 2003.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner and no specific overt act is attributed to him. In fact, neither the petitioner is named in the F.I.R. nor he has been apprehended on



the spot rather his name has been surface in the confessional statement of derivors of Poklan machines, who were indulged in the illegal mining. The petitioner has no concern with the alleged illegal mining. Moreover, several co-accused, having more or less similar allegations have been granted anticipatory bail by different Benches of this Court in Cr. Misc. No.51161 of 2017, Cr. Misc. No. 51365 of 2017, Cr. Misc. No. 49634 of 2017 and Cr. Misc. No. 51436 of 2017. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate, Danapur, in connection with Bihta Police Station Case No. 520 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

