

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49271 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -NABINAGAR District- AURANGABAD

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Munna Prasad, Son of Suresh Prasad, Resident of Village-kope, P.S.
Manika, District-Latehar (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Rajendra Singh Shastriji (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 30-10-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Nabinagar P.S. Case No. 107 of 2017, registered for the
offences punishable under Sections 406/420 of the Indian Penal
Code and 40 of Bihar State Mineral Rules, 1972.

Allegedly, the petitioner was running brick kilns
without valid license.

Submission is of false implication and that without
applying mind F.I.R. has been instituted. The petitioner has got
valid license from Bihar State Pollution Board as well as from
Commercial Tax Department and Mines Development Authority,
vide Annexures 2, 3 and 4. Sections inserted are not attracted.



Similarly situated other co-accused Vijay Kant Choudhary has been allowed pre-arrest bail vide Cr. Misc. No. 28393 of 2017 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that from Annexures 2, 3 and 4, it reveals that the petitioner has obtained license.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 C.J.M. Aurangabad, in connection with Nabinagar P.S. Case No. 107 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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