

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60759 of 2017

Arising Out of PS.Case No. -179 Year- 2016 Thana -BARUN District- AURANGABAD

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Rajeev Ranjan Upadhyay, S/o Udai Narain Upadhyay, R/o Village- Tetaria,
P.S.- Kochas, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Barun P.S. Case No. 179 of 2016 registered under Sections
379, 420, 411 of the Indian Penal Code and Sections 3, 4 and 5
of the Bihar Illegal Mining Act.

It is submitted by learned counsel of the petitioner
that the petitioner is owner of the truck bearing registration no.
JH 02G 1382 on which stone chips was found loaded. He
submitted that he was not even aware that the truck, which was
plying on hire had been loaded with stone chips and it was the



driver who had got it loaded even without his consent. He submitted that the petitioner has got roots in the society and is not involved in any other criminal case.

On the other hand, learned counsel for the State vehemently opposed the application for grant of pre-arrest bail to the petitioner.

Having regard to the submission made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner 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 the learned Judicial Magistrate-1st Class, Aurangabad in connection with Barun P.S. Case No. 179 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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