

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19578 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Baban Prasad, son of Suresh Prasad, resident of Village- Nai Bhumi, P.S.-
Karakat, District- Rohtas.

.... Petitioner

Versus

1.The State of Bihar.
2. Mines Department

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr.Advocate
with Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Aurangabad (M) P.S.Case No. 7 of 2017 registered for the
offences punishable under Sections 379/411 of the Indian Penal
Code and 4/44 of Bihar Mineral Concession Rules, 1972,
including 3/4/5/6 of Bihar Minerals Prohibition of Illegal Mining
Transportation and Storage Rules, 2003.

Allegation against the petitioner is that being a driver
and without valid licence he was carrying stone chips and he was
arrested.

It has been submitted on behalf of the petitioner that
petitioner is driver of the vehicle and he has remained in custody
for four months and he has no other cases of similar type earlier.

Heard learned Special PP for the Mines Department
also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (M) P.S.Case No. 7 of 2017, subject to the conditions that :-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(iv) If petitioner commits such type of offence in future, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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