

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35315 of 2017

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

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Murari Prasad, Son of Late Mahadeo Sao, R/o Village- Baluganj, P.S.-
Dhibra, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party : Mr. Sri Umeshnand Pandit (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Dhibra P.S. Case No. 07 of 2017, registered for the offences
punishable under Sections 406, 420 of the Indian Penal Code read
with Section 40 Bihar Minor Minerals Act, 1972.

Allegedly, the petitioner and others were running
brick kilns without any proper license and no objection certificate
from the respective departments.

Submission is of false implication and that the
petitioner has obtained no objection certificate and he has
deposited proper fee or license fee also vide Annexures 2 and 3
series. The petitioner was not running bricks kilns without paper



and in hurry the case has been lodged and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. after going through Annexures 2 and 3 series fairly submits that N.O.C. from the Bihar State Pollution Control Board has been obtained and for the year 2016-17 proper license fee has also been deposited.

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 Dhibra P.S. Case No. 07 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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