

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24305 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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Anup Kumar Gupta, Son of Kanhaiya Prasad, Resident of Mohalla - East Mohan Bigha (Dalmiya Nagar), Police Station- Dehri-On-Sone, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2017 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

Petitioner is apprehending his arrest in connection with Aurangabad (Mufassil) PS case no. 17 of 2017 registered for the offences punishable under Sections 379, 411 of Indian Penal Code, Section 4/44 of Bihar Mineral Concession Act 1972, Section 3/4/5 of Illegal Mining Transportation and Storage Rule and Sections 33, 41 and 42 of Forest Act.

The prosecution case in nutshell is that police intercepted two vehicles bearing registration nos. HR 38H- 2678 and UP 61T- 1314 loaded with chips. The truck driver was alleged to have carried chips without any paper.



Learned counsel for the petitioner submits that he is the owner of the vehicle bearing no. HR 38H- 2678, in support of which, he has placed on record the owner book, which is annexed as Annexure-2 at page 15 of the petition. It is further submitted that other co-accused who are said to be the owner and driver of the trucks have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.05.2017 passed in Cr.Misc. no. 18872 of 2017.

Considering the nature of the allegation, in the event of his arrest or surrender within four weeks from today, the petitioner abovenamed shall be released on bail on his furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Mufassil) PS case no. 17 of 2017 subject to all conditions as laid down in Section 438(2) of Code of Criminal Procedure.

(Madhuresh Prasad, J.)

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