

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26253 of 2017

Arising Out of PS.Case No. -529 Year- 2016 Thana -BIHTA District- PATNA

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1. Sunil Kumar Son of Banshi Singh Yadav, Resident of 2A, Kali Mandir, Pethiyapar, Danapur-Cum-Khagaul, P.S.-Danapur, District- Patna (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 24-07-2017 Heard both sides.

The petitioner apprehends his arrest in Bihta P.S. Case No. 529 of 2016 registered for the offences punishable under Sections 147, 148, 149, 379, 414, 406, 420, 467, 468, 471 and 387 of the Indian Penal Code.

The informant alleged that while he along with other police officials went to arrest the accused of Bihta P.S. Case No. 526 of 2016, the informant came to know that many persons are indulged in illegal mining of sands from the government land.

Learned counsel for the petitioner submits that the petitioner is owner of Pocklen-Hundai Model No – 220 – LC7 appeared at serial no. 2 of the FIR. It is further submitted that the Pocklen machine was engaged in construction work but the police



seized the machine of the petitioner and wrongly showed that the machine of the petitioner was also engaged in extracting sands from the government land. Similarly situated accused Santosh Kumar and Dilip Kumar have already been granted anticipatory bail vide order dated 07.07.2017 and 10.07.2017 passed in Cr. Misc. No. 25718 of 2017 and Cr. Misc. No. 25365 of 2017 respectively.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged 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 Additional Chief Judicial Magistrate, Danapur, Patna in Bihta P.S. Case No. 529 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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