

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42285 of 2017

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

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Guddu Rai son of Sri Shayam Nandan Rai, resident of Village- Anandpur,
P.S.- Bihta, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bihta P.S. Case no. 529 of 2016, registered under Sections 147, 148,
149, 379, 414, 406, 420, 467, 468, 471 and 397 of the Indian Penal
Code.

The accusation is that 23 Pocklen JCB machines were
seized at the sand ghat engaged in illegal mining of the sand. The
petitioner is said to be the owner of Pocklen machine Hundai Rolex R-
215-LC7, Serial No. N603D01649, Engine No. 84199301.

Learned counsel for the petitioner submits that, in fact,
alleged Pocklen machine of the petitioner was not seized from the ghat
of the sand rather the same was seized to the house of the petitioner.
The petitioner has no criminal antecedent. Further submission is that
similarly situated co-accused have been granted anticipatory bail by a



bench of this Court vide Criminal Miscellaneous No. 25718 of 2017, dated 07.07.2017, Criminal Miscellaneous No. 25365 of 2017, dated 10.07.2017 and Criminal Miscellaneous No. 38341 of 2017, dated 24.08.2017.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 529 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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