

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41596 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -HASPURA District- AURANGABAD

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Anjani Kumar, S/o Late Gaya Prasad Singh, resident of Village- Pathraur,
P.S.Haspura, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Haspura P. S. Case No. 75 of 2017 registered under Sections
406 and 420 of the Indian Penal Code & Section 40 of Bihar
Minor Minerals Concession Rules, 1972.

Allegation against the petitioner is that he was
running a brick kiln without licence and without obtaining no
objection certificate under the Air (Prevention and Control of
Pollution) Act, 1981.

Learned counsel for the petitioner has submitted that
the petitioner was running his brick kiln in proper manner and



after fulfilling all the required formalities. He has submitted that the ingredients of the offence punishable under Sections 406 and 420 of the Indian Penal Code are not attracted in the present case.

Regard being had to the nature of allegation, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, District- Aurangabad in Haspura P. S. Case No. 75 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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