

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54652 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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Bijendra Verma, Son of Late Ramdyal Mahto, Resident of Village- Kera,
P.S.- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Daudnagar P.S. Case No.94 of 2017 registered under Sections 406
and 420/34 of the Indian Penal Code besides Section 40 of the
B.M.N.CR. Act 1972.

The accusation is that on inspection made by the Circle
Officer, Daudnagar, 7 brick kilns were found running violating the
provision Rule 26A of the Bihar Minor Mineral Concessions
Rules, 1972. Out of 7 brick kilns, one belongs to the petitioner.

Learned counsel for the petitioner submits that while the
petitioner, who is the brick kiln owner, deposited the requisite fee



time to time, which would appear from Annexures-2 to 6 to this application, but with an ulterior motive he has falsely been implicated in this case with false allegation of violating the Rules of the Bihar Minor Minerals Rules, 1972. Further submission is that the similarly situated co-accused Ram Naresh Prasad Singh alias Naresh Prasad Singh has already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 18.10.2017 passed in Criminal Misc. No.50278 of 2017.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Daudnagar (Aurangabad), in connection with Daudnagar P.S. Case No.94 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.s

(Rajendra Kumar Mishra, J)

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