

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7577 of 2017

Arising Out of PS.Case No. -218 Year- 2016 Thana -KHARAGPUR District- MUNGER

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1. Naresh Yadav Son of Sitabi Yadav, Resident of Village-Harla Rampur,
Domachak, P.O. & P.S.-Luxmipur, District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta
For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha
For the BMD : Mr. Rajendra Pd.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-03-2017 The petitioner is apprehending his arrest in connection with Kharagpur P.S. Case No. 218 of 2016, registered for offences punishable under Sections 379 and 411 of Indian Penal Code and Section 4/40 of Bihar Minor Mineral Concession Rules 1972.

It has been submitted on behalf of the petitioner that no case under the above section of Indian Penal Code and Bihar Minor Mineral Concession Rules 1972, is made out against the petitioner as he has valid challan of truck loaded with sand, however he could not produce the same at the time of seizure. However he is in possession of the said challan.

Heard learned counsel for the State and learned counsel appearing on behalf of Bihar Mining Department.

Having heard both sides, in view of the submissions of learned counsel for the petitioner, let petitioner above named,



surrender before the court below and produce the afore-stated, challan, which will be sent to the concerned department for verification by the court below and till then the petitioner will be enlarged on provisional bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Munger in connection with Kharagpur P.S. Case No. 218 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the report with regard to authenticity of the said challan from the concerned department is received and if the same found to be correct, the court below shall confirm the bail bonds of the petitioner, otherwise he is free to pass any order as he deems fit.

(Vinod Kumar Sinha, J)

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