

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11984 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -BARUN District- AURANGABAD

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Kamalesh Rai S/o- Jokhan Rai, Resident of Village- Takiya Bazar Sasaram,
P.S.- Sasaram, District- Rohtas, Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uma Shankar Singh, Advocate.

For the Opposite Party : Mr. Rajeev Nayan, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-05-2017 Heard both sides.

The petitioner apprehends his arrest in Baroon P.S.
Case No. 157 of 2016 registered for the offences punishable under
Sections 379, 420 and 411 of the Indian Penal Code and under
Sections 3/4/5 of the Bihar Illegal Mining Act.

The police intercepted two trucks bearing Registration
No. UP67T/1142 and BR1GB/0534 and arrested the drivers for
carrying stone chips without having valid papers.

Learned counsel for the petitioner submits that the
petitioner is the owner of truck bearing Registration No.
UP67T/1142. The driver of the truck was carrying stone chips on
valid papers. On similar allegation, the owner of truck bearing
Registration No. BR1GB/0534 has already been enlarged on



anticipatory bail vide order dated 30.03.2017 passed in Cr. Misc. No. 13774 of 2017. The case of the petitioner stands on the same footing.

Considering the facts aforesaid and the fact that the petitioner is the owner of the truck and the driver of the truck was arrested with the truck carrying stone chips but the petitioner later on filed papers showing that the driver of the truck was carrying stone chips on valid papers, 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 the learned Chief Judicial Magistrate, Aurangabd in Baroon P.S. Case No. 157 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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