

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25811 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Sunil Kumar Sharma S/o Lallan Sharma Resident of Village-Chhap, P.S. Akhodigola, District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Ram Anurag Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 11-07-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Aurangabad Muffasil Police Station Case No. 07 of 2017, disclosing offences under Sections 379/411 of the Indian Penal Code, Sections 4/44 of Bihar Mineral Concessions Rules, 1972 and Sections 3/4/5/6 of Bihar Mineral Prevention of Illegal Mining Transaction and Storage Rule, 2013.

The petitioner's truck, bearing registration no. WB 23A/5253, loaded with stone chips was intercepted by the police. The driver of the truck attempted to flee away, but was apprehended. He failed to produce any document in support of the stone chips, loaded in the said truck.

Learned Counsel for the petitioner has



submitted that there is no allegation that it was within the knowledge of the petitioner that the truck was being used for illegal purposes. He has also submitted that there is no chance of petitioner absconding from the course of justice.

Considering the above submission, this application is allowed.

Let the petitioner, Sunil Kumar Sharma, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Muffasil Police Station Case No. 07 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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