

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34670 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -KHUDWAN District- AURANGABAD

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1. Md. Kurban Son of Late Abdul Karim, R/o Village- Ram Nagar, P.S.-
Khudwan, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.,

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-08-2017 Heard both the sides.

The petitioner apprehends his arrest in connection with Khudwan P.S. Case No. 15 of 2017 registered under Sections 406 and 420 of the Indian Penal Code and Section 40 of Bihar Minors Minerals Concession Rules, 1972.

The allegation against the petitioner is that the petitioner was illegally running a brick kiln and the said brick kiln was closed but when the informant inspected the brick kiln, he was found that the said brick kiln was in running conditions.

Learned counsel for the petitioner submits that the petitioner has got license and he has taken 'No Objection Certificate' from the Bihar State Pollution Control Board. The allegation that the petitioner is running a brick kiln and polluting



the air is false.

Considering the facts aforesaid and the nature of allegation, the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, is directed to 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 Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Khudwan Police Station Case No. 15 of 2017 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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