

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50784 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -RISHIUP District- AURANGABAD

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Dhananjay Kumar Singh son of Prameshwar Singh, resident of village -
Santhua, P.S. - Risiup, District -Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Risiup P.S. Case No.29 of 2017 registered under Sections 406 and
420 of the Indian Penal Code as well as Section 40 of the Bihar
Minerals (Prevention of Illegal Mining Transportation and
storage) Rules.

It is submitted by the learned counsel for the petitioner
that petitioner has neither violated any rules nor regulations
knowingly and intentionally of the Mines and Minerals
(Development and Regulation) Act.

She has submitted that though the allegation against the
petitioner is that he was running brick kilns without depositing



fees and without obtaining no objection certificate from the Pollution Control Board. The fact of the matter is that the petitioner had already taken no objection certificate from the Pollution Control Board and was regularly paying the required fee to the Mines Department.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of offence as also the fact that the petitioner is reported to be a man of clean antecedent, he 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 Chief Judicial Magistrate, Aurangabad in connection with Risiup P.S. Case No.29 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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