

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58465 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -JAMHORA District- AURANGABAD

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1. Shravan Mehta @ Shrawan Mehta, S/o Ram Nandan Mehta, Resident of Village- Jogiya, P.S.- Barun, 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

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Jamhore P.S. Case No. 43 of 2017 instituted for the offence under Sections-406, 420 of the Indian Penal Code and Section-40 of Bihar Minor Mineral Act.

It is alleged in the written report that Anchal Adhikari got information that this petitioner was running brick kiln without obtaining the proper licence and no objection certificate by the respective department in spite of explicit directive of the Bihar Pollution Control Board, Patna to close such brick kiln.

The informant has alleged that on 26-04-2017, the inspection of four brick kiln was made and it is alleged that the petitioner was also found running brick kiln. It has been submitted that earlier his father Ram Nandan Mehta used to run brick kiln in the year, 2012-13 which was closed. There is no brick kiln of the petitioner at the



place of occurrence.

From the written report, it appears that there is no any inspection report or material to show that the informant was found running brick kiln at the place of occurrence.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Jamhore P.S. Case No. 43 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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