

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60944 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -BARUN District- AURANGABAD

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Nandan, Son of Chandan Singh, Resident of Village- Nasriganj, Police
Station- Nasriganj, District- Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Barun P.S. Case no. 173 of 2017, registered under Sections 379, 411
and 420/34 of the Indian Penal Code and Section 3, 4 and 5 of the
Bihar Illegal Mines Act.

The accusation is that in course of raid of the illegal
mining of sand, the informant being the Circle Officer, Circle Barun,
Aurangabad reached at the bank of Sone river then found five tractors
parked there, including the tractor bearing Reg. No. BR-24G-4178
attached with trailer, but driver succeeded to flee away.

Learned counsel for the petitioner submits that, in fact,
after receiving the Challan for carrying of sand, the petitioner being
the driver of Tractor bearing Reg. No. BR-24G-4178 attached with
trailer had gone to the bank of Sone river and after parking the same,



he had gone to take tea in the meantime, his tractor was seized by the informant along with some other tractors. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 173 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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