

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37486 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- KASMA District- Aurangabad

Rajdeo Yadav @ Rajdeeo Yadav @ Ganauri Yadav @ Ganauri, Son of Rampati Yadav, Resident of Village- Khairi Itawan, P.S.- Kasma, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

21 05-07-2018

Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Kasma P.S. Case No. 20 of 2018 registered for offences under sections 379 of the Indian Penal Code and Section 4(i), 4(i-A) of the Mines and Mineral Development Regulation Act, 1957, Section 27 & 40 of the Bihar Minor Mineral Concession Rule, 1972.

In the present case, an allegation has been made against the petitioner that he operates a brick kiln and has not paid the cess amount for the year 2015-16 which led to lodging of the present case.

Learned counsel for the petitioner submits that the



petitioner will deposit the amount of Tax within a period of two weeks from today.

In view of the above, if the petitioner deposits the amount, in question, within the aforesaid period of two weeks, in that circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Kasma P.S. Case No. 20 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

At the same time, if the petitioner is sanguine that he is not liable to pay the tax amount to the authority concerned, he may file an application before him for his needful.

(Shivaji Pandey, J)

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