

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43917 of 2018

Arising Out of PS.Case No. -134 Year- 2018 Thana -AKBARPUR District- NAWADA

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1. Phulchand Yadav, Son of Munshi Mahto @ Munshi Yadav, Resident of Village- Lohsinghna, Police Station- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2018 The petitioner is apprehending his arrest in connection with Akbarpur P.S. Case No. 134/18, registered for offences punishable under Sections 379 and 414 of the Indian Penal Code and Section 4/20 of the Bihar Minor Mineral Concession Rule 1972 and Section 21 of Mines & Mineral Development and Regulation Act, 1957, Rule 3/8 of Bihar Mineral (Prevention of illegal mining, transportation & storage) Act 2003 and 15 of Environment Protection Act, 1986.

Allegation against the petitioner is of illegal mining of sand without having valid challan.

It has been submitted on behalf of the petitioner that he is owner of the tractor and had valid challan, which will appear from annexure -3 of this petition.



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that petitioner has no criminal antecedent and only general and omnibus allegation has been levelled against him, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM –I, Nawada, in connection with Akbarpur P.S. Case No. 134/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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