

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43731 of 2018

Arising Out of PS. Case No.-75 Year-2018 Thana- KASHICHAK District- Nawada

Mantu Yadav Son of Kishori Yadav Resident of Village Nemdarganj, P.S.
Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-07-2018 Heard learned Counsel for the petitioner and learned
Special PP for the Mines.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code and Rules 4/40 of the Bihar Minor Mineral Concession Rules, 1972, Rule 22 of the Mines & Minerals (Development & Regulation) Act, 1957 and Rules 3/8 of the Bihar Minerals (Prevention of illegal Mining, Transportation and Storage) Rules, 2003.

The prosecution case got initiated on the basis of written report dated 05.06.2018, at 09.00 P.M., submitted by the Mines Inspector, Nawada, to the Station House Officer, Shahpur,



Nawada Police Station, to the effect that on the same day at 09.00 P.M. during patrolling, a truck bearing its registration number RJ-3298-0009, loaded with 500 c.f.t. sand, was intercepted. But, during course of checking, the driver and co-driver of the truck in question escaped from the scene.

It is submitted by learned counsel for the petitioner that petitioner is the owner of the truck in question and the sand was being transported under valid challan, which gets reflected from a copy of 'Challan', as contained in Annexure-3. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned Special P. P. for the Mines that the due to the illegal mining huge loss is caused to the state exchequer.

Considering the nature of accusation which has no veracity in view of 'challan', as contained in Annexure-3, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned CJM, Nawada, in connection with Kashichak P.S. Case No.75 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

