

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46708 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Lal Mohan Chaudhary, Son of Munilal Chaudhary Resident of Village English , P.S. Barun, District- Aurangabad(Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabjit Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Barun P.S. Case No. 116 of 2018, registered for offences punishable under Sections 379, 411, 420/34 of the Indian Penal Code and 4/40 Bihar Mines and Mineral Concession Rules, 1972 and 15 Environmental Protection Act, 1986.

As per F.I.R., allegation against the petitioner is that police has raided the Balughat and found that 27 tractors were engaged, including the tractor of the petitioner in illegal mining and trafficking of sand.

Submission of the learned counsel for the petitioner is that the petitioner is owner of the tractor and he had valid challan, which appears from Annexure-2. It is further submitted that there is general and omnibus allegation against the petitioner and no



overt act has been attributed against the petitioner and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S.Case No. 116 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

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