

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47160 of 2018

Arising Out of PS.Case No. -136 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Sushil Kumar S/o Kamta Prasad Singh, R/o Vill.- Inglis, P.S.- Barun,
District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary Cum Commissioner Department of Mines and
Geology, Government of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Barun P.S.Case no.136/18 , registered for offences punishable
under Sections 379, 411, 420/34 of the Indian Penal Code.

Allegation against the petitioner is of engaging in illegal
trafficking of the sand.

Submission of the learned counsel for the petitioner is that
he had taken the sand from the government authorized contractor
for personal use and allegation is false and concocted

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and
circumstances, as stated above, let the petitioner, above named, in



the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 the learned C.J.M., Aurangabad in connection with Barun P.S.Case No.136 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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