

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48796 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -MALSALAMI District- PATNA

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1. Pramod Kumar @ Pramod Yadav @ Pramod Kumar Yadav Son of Late Babulal Yadav Resident of Shahadara, Ramdhani Road, Police Station - Malsalami, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-08-2018 The petitioner is apprehending his arrest in connection with Malsalami P.S. Case No. 189 of 2017, registered for offences punishable under Section 440 of the Indian Penal Code, Section 4/40 of Bihar Mineral Concession Rule 1972 and Section 3,4 and 6 of the Bihar Mineral Prevention of Illegal Mining Transportation and Storage Act.

Allegation against the petitioner is of illegally storing the sand on his land.

It has been submitted on behalf of the petitioner that he has falsely been made accused in this case and the land on which it is alleged that sand was stored, has been acquired by the Bihar Agricultural Marketing Board in the year 1976.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, 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 IV, Patna City, in connection with Malsalami P.S. Case No. 189 of 2017, 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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