

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2501 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -BARUN District- AURANGABAD

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1. Rampujan Sah @ Ram Pujan Keshri, Son of Late Jagunath Sah,
Resident of Village- Naudiha, P.S.- Shivsagar, Dist.- Rohtas(Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Barun P.S. Case No. 189 of 2017 registered for the offence punishable under Sections 379, 411, 420, 120(B)/34 of the Indian Penal Code, Sections 3, 4, 5 of the Bihar Mineral Act and Sections 75/80 of the Bihar Minor Minerals Act.

The allegation against the petitioner is regarding 12 tractors having been apprehended by the police, which are said to have been carrying sand. The further investigation by the police has led to surfacing of the name of the petitioner in the said case since he is said to be the owner of the tractor.

The learned counsel for the petitioner submits that there



is no illegality in carrying the sand and at best, the only allegation against the petitioner is regarding being the owner of the tractor and not the sand. It is further submitted that no recovery has been made from the conscious possession of the petitioner nor he was apprehended from the spot and he has a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge 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, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Aurangabad in connection with Barun P.S. Case No. 189 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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