

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59190 of 2018

Arising Out of PS.Case No. -127 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Ashutosh Ranjan, Son of Ramchandra Ram, Resident of Village- Barun,
P.O. & P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 28.09.2018 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Barun P. S. case no. 127/2018 registered under sections 379,
411, 420/34 of the IPC and 15 of the Environmental
Protection Act.

Four tractors laden with sand were intercepted and
seized by the police officials. Petitioner happens to be one
of the owner of the tractor.

The first information report reflects that at the time
of seizure of the aforesaid tractor, the tractor was being
driven by its driver and there is nothing in the written report
that owner of the tractor was also present at the time of



seizure of the said tractor.

Learned counsel for the petitioner submits that even if the prosecution story assumed to be true, then also, offence of sections 379, 420/34 and 411 of the IPC are not applicable.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in Barun P. S. case no. 127/2018 subject to condition as laid down under section 438(2) of the Cr.P.C.

Shahid/ Abhijeet

(Hemant Kumar Srivastava,J)

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