

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65007 of 2018

Arising Out of PS. Case No.-98 Year-2018 Thana- BAUNSI District- Banka

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Mukesh Yadav Son of Mohan Prasad Yadav Resident of Village-Sura
(Barakola), Police Station-Sarwan, Distt.-Deoghar(Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Assistant Director Mines and Geology Department,Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bounsi P.S. Case No. 98 of 2018 registered for the offences punishable under Sections BMMC rules 1972 of rules 4/40 and B.M. (PIMTS) rule 2003 of rules 6/8(d) and 3/4 Prevention of Damage to public property Act, 1984 and under Section 379 of 411 of the Indian Penal Code.

Informant in his written report has stated that on 11.04.2018 at about 6:30 pm, one Hiwa Vehicle bearing No. JH 04G 6417 rashly and negligently came and broke the Bhaljor check post. The employees posted there saved their life after jumping from that place. After some time he came to know that



the said vehicle has also dashed police patrolling jeep and causing loss of revenue of Rs. 41,420/- of Mining Department.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. He is only the driver of the said vehicle. The said vehicle was not having any illegal sand rather it was issued on a valid challan. He is in custody since 08.05.2018. It has been further submitted that similarly placed co-accused has been granted bail by this Court in Cr. Misc. No. 40225 of 2018 vide order dated 13.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Banka in connection with Bounsi P.S. Case No. 98 of 2018.

(S. Kumar, J)

Rajiv/Manoj-

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