

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69839 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- BARUN District- Aurangabad

Raju Sah, S/o Mahadev Sah, Resident of Village- Amarpura, P.S. Mohania
Kaimur District Bhabua Kaimur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned
counsel for the Department of Mines.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379/411, 420/34 of the Indian Penal Code, Section 4 and 40 of the Bihar Mines Act and Section 15 of the Environment Protection Act, 1986.

On a secret information, two tractors loaded with sand were intercepted when the drivers escaped from the scene.

It is submitted by learned counsel for the petitioner that the petitioner is owner cum driver of one of the seized tractors. It is further submitted that the quantity of the sand loaded on the tractor was purchased by the petitioner. However, the owner of one of the seized tractors has already been granted anticipatory bail vide order dated 08.10.2018 passed in Cr.



Misc. No. 57450 of 2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the Department of Mines submits that the accusation is specific against the petitioner.

Considering the quantity of recovery coupled with the statement being in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 147 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

