

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75470 of 2018

Arising Out of PS. Case No.-15 Year-2017 Thana- MANPUR District- Nalanda

Ravishankar Kumar, Son of Suresh Chandra Prasad, Resident of Mohalla-Tikulipur, Bihar Sharif, P.S.- Bihar Sharif, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Manpur P.S. Case No. 15 of 2017 for the offence under Sections 379/34 of the Indian Penal Code, Section 4/40 of Bihar Minor Mineral Concession Rule, 1972 and Section 8 (d) of Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rule.

Learned counsel for the petitioner submits that petitioner is a farmer and he has got no criminal antecedent. He submits that in fact the Tractor was lying near the river and not engaged either in transportation of sand or involved in loading/unloading of the sand. He submits that the provisions of the Bihar Minor Mineral Concession Rule, 1972 and Bihar Minerals (Prevention of Illegal Mining, Transportation and



Storage) Rule is not attracted in the instant case.

Considering the fact that the petitioner has got no criminal antecedent, the petitioner named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Nalanda at Biharsharif in connection with Manpur P.S. Case No. 15 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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