

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8037 of 2018

Arising Out of PS.Case No. -707 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Mithilesh Kumar, S/o Ram Chandra Rai, Resident of Village- Salempur,
P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02.04.2018

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 Hajipur Nagar P.S. Case No. 707 of 2017 for the
offence registered under Sections 188, 379 and 34 of the Indian
Penal Code and Sections 4, 40(1) (8) and 49 of the B.M.M.C.
Rule, 1972 and Bihar Mineral (Prevention of Illegal Mining
Transportation Storage) Rule, 2003.

The allegation is regarding 18 trucks, over loaded
with sands, standing on the road going from Sonepur to Anjanpir-
Lalganj Road. Upon receipt of information by the Police, raid
was conducted and the said trucks were seized, however, the
drivers of the truck fled away.



The learned counsel for the petitioner submits that the petitioner is owner of one of the truck. It is further submitted that the sand was being transported for the personal use of the informant and the petitioner being the owner of the truck had only given the truck on hire. It is further submitted that similarly situated persons have already been granted bail by this Court vide order dated 02.02.2018 passed in Criminal Misc. No. 4673 of 2018. It is further stated that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail 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 furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-VIII, Vaishali at Hajipur in connection with Hajipur Nagar P.S. Case No. 707 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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