

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2647 of 2018

Arising Out of PS. Case No.-520 Year-2017 Thana- BIHTA District- Patna

Prabhu Yadav son of Chohan Yadav, resident of Panchayat Than, P.S. Chandwara, District Koderma, Jharkhand (Owner of Hyundai Hydraulic Excavator R-21SLC-7).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh

For the Opposite Party/s : Mr. SRI NIRMAL KUMAR SINHA

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 15-01-2018 Heard both sides.

Petitioner apprehends his arrest in connection with Bihta P.S. Case No. 520 of 2017 registered under section 147, 148, 149, 406, 379 and 120 B of the IPC read with Section 4/21 of the Mines and Mineral (Development and Regulation) Act, 1957 as well as Section 4/40 of the Bihar Minor Mineral Concession Rules 1972 and Section 8 of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

Several accused persons have been named in the F.I.R. who were found involved in illegal mining. The name of the petitioner transpired as one of the machines owned by him was being used in illegal mining.

Learned counsel submits that he is not even named in the



F.I.R. Co-accused Sonu Kumar @ Sonu, who, is also a co-accused of the present case, has since been privileged with anticipatory bail.

Considering the aforesaid submissions, let the petitioner, named above, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction learned A.C.J.M.1 Danapur in connection with Bihta P.S. case no. 520 of 2017 (District-Patna), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure subject to the further condition that one of the bailors shall be his own/close family member.

(Kishore Kumar Mandal, J)

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