

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30496 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- BARUN District- Aurangabad

Vijay Krishna Pratap, Son of Ramudit Singh, R/o Village-Ward No. 11,
Makkraïn, P.S.- Dalmia Nagar, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Barun P.S. Case No.49 of 2018,
registered for the offence punishable under Sections 379, 411,
420/120(B)/ 34 of the Indian Penal Code, under Section 4/40 of
the Bihar Minor Mineral Concession Rules, 1972 and under
Section 15 of the Prevention of Pollution Act.

Allegation has been made against the petitioner of
illegal trade of mining of sand.

Learned counsel for the petitioner submits that the
petitioner is the owner and driver of the tractor and was having a
valid Challan of sand and thus, it cannot be said that he was
carrying illegal sand.



Looking to the entire facts and circumstances of the case and also the fact that the petitioner was carrying the sand with valid Challan, let the petitioner, namely, Vijay Krishna Pratap, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case no.49 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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