

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62319 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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1. Yogendra Singh Son of Late Ram Chand Singh Resident of village-
Sipaha, P.S.- Daudnagar, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection
with Daudnagar P.S.Case No. 94 of 2017 registered for offences
punishable under Sections 406, 420/34 of the Indian Penal Code
and under Section 40 Binhar Mineral Concession Rules, 1972.

It is submitted by the learned counsel for the
petitioner that no offence is made out against the petitioner as he is
not the owner of the brick kiln in question. The said brick kiln in
running in the name of Rajesh Kumar, son of Bindhyachal Kumar,
Village- Kear, P.S. Daudnagar, District- Aurnagabad.
It is further submitted that one co-accused namely, Chhotan Singh
has been granted anticipatory bail by this Court by an order dated



13.12.2017 passed in Cr. Misc. 58853 of 2017 /

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Having regard to the facts and circumstances of the case, I find that as far as the petitioner is concerned, at least he is entitled for grant of anticipatory bail.

Accordingly, above named petitioner is directed to be released on anticipatory bail in the event of his arrest/surrender before the concerned trial Court within six weeks from today, on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P. S. Case No. 94 of 2017, subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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