

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32496 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Arun Kumar @ Arun Kumar Yadav S/o Late Rabindra Singh, R/o Village Kochadh, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-06-2018 The petitioner is apprehending his arrest in connection with Barun P.S. Case No. 85 of 2018, registered for offences punishable under Sections 379, 411, 420/34 of the Indian Penal Code and 4/40 of Bihar Mineral Rules & Section 15 of Environment Protection Act.

Prosecution case is that the informant went to check the illegal mining and trafficking of sand and during raid, 35 to 40 tractors loaded with illegal sand were found and some of the drivers of the tractor tried to unload the sand but could not succeed and taking advantage of open filed, they fled away.

It has been submitted on behalf of the petitioner that he has been made accused on the basis of suspicion and except that there is nothing against him. Further the petitioner was not present



at the spot but his tractor has been seized on suspicion. Moreover, other co-accused persons having similar allegation has already been granted privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 18062018 passed in Cr. Misc. No. 334111 of 2018 along with Cr. Misc. No. 33460 of 2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad, in connection with Barun P.S. Case No. 85 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as



and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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