

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33966 of 2018

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

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1. Shankar Kumar Gupta, S/o Krishna Saw, Resident of Village- Khemda,
Barun, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Minerals Development Officer, Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 28-06-2018 Heard both sides.

The petitioner apprehends his arrest in Barun P.S. Case No.85 of 2018 registered under Sections 379, 411, 420 and 34 of the Indian Penal Code and under Section 4 and 40 of the Bihar Mineral Rules and 15 of Environment Protection Act.

The gist of the allegation that many persons were indulged in illegal extracting of sand from Balughat situated by the side of the river. The petitioner is alleged to have also involved as his motorcycle bearing registration no.BR-24K-6124 is parked near Balughat.

The learned counsel for the petitioner submits that petitioner was neither apprehended on the spot nor anything is



recovered from the possession of the petitioner. The motorcycle of the petitioner is parked near Balughat and that is why the informant on mere suspicion implicated the petitioner alleging that since the motorcycle of the petitioner was parked near Balughat, the petitioner must have been involved in extracting sand.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad(Bihar) in connection with Barun P.S. Case No.85 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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