

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46811 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -BAKHTIARPUR District- SAHARSA

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1. Chandan Kumar Son of Shri Bhado Sah resident of village - Tulsiyahi,
Police Station - Bakhtiyarpur, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha

For the Opposite Party/s : Mr. Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-08-2018 The petitioner is apprehending his arrest in connection with Simri-Bakhtiyarpur P.S. Case No. 58/2018, registered for offences punishable under Sections 420 & 409 of the Indian Penal Code, Section 40(a) (B) of Bihar Mines Minerals Concession Rules and Section 6/7 of Bihar Mining Act.

Allegation as per F.I.R. is that one tractor was seized by the police and driver of the tractor has disclosed that he has taken sand from the petitioner and due to this, petitioner has been made accused.

Submission of learned counsel for the petitioner is that he is owner and Ghat Settlee of the Department of Mining and he is also having a license by the Government, which he has stated in para 7 of the petition.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case, 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 Chief Judicial Magistrate, Saharsa, in connection with Simri-Bakhtiyarpur P.S. Case No. 58/2018, 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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