

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45146 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -CHAUSA District- MADHEPURA

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1. Abhishek Kumar S/o Anil Kumar, R/o Vill.- Chhotki Badhauna , P.O.-
Barki Badhauna, P.S.- Chousa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Chousa P.S.Case No.68 of 2018, registered for offences punishable under Sections B.M.M.C. Rules, 1972, Section 4/33, Bihar Minerals (Protection of Illegal Mining Transportation and Storage) Rules, 2003, Section 3/4 Environment Protection Act, 1986, Section 15 and B.M.M.C. Rule, 1972, Section 40. of the Indian Penal Code.

Allegation against the petitioner is that without renewing the licence of the Brick Kiln, he was running the same.

Submission of the learned counsel for the petitioner is that he has annexed the paper of renewal of the licence as Annexure-2, which shows that his licence was renewed and thereafter he is



running the Brick Kiln.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Uda Kishunganj, Madhepura in connection with Chousa P.S.Case no.68 of 2018 added 24.3.2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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