

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1088 of 2018

Arising Out of PS.Case No. -33 Year- 2015 Thana -BIHRA District- SAHARSA

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Brahmdeo Rai @ Brahmdeo Ray, Son of Late Sonelal Rai, resident of
Village- Laukahi, P.O. Nandlali, Police Station- Bihra, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-02-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with Bihra
PS case no. 33 of 2015 registered for the offences punishable
under Sections 379/406 of the Indian Penal Code.

The allegation is regarding the petitioner herein running
a brick kiln and engaging in illegal excavation of minerals,
resulting in a loss of Rs. 2,98,000/-, as far as the petitioner herein
is concerned.

The learned counsel for the petitioner submits that the
petitioner was running a valid and licensed brick kiln and had filed
the licence fee for the period up to 2011-12 whereafter the brick
kiln was closed and in fact no activity has been going on at the



place of occurrence. The petitioner is stated to be having a fair antecedent barring one case in which the petitioner has already been granted anticipatory bail.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Bihra PS case no. 33 of 2015, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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