

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47910 of 2018

Arising Out of PS.Case No. -75 Year- 2018 Thana -KASHICHAK District- NAWADA

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Ganga Yadav, Son of Kishori Yadav, resident of Village- Nemdarganj,
P.S.- Sheikhpura, District- Shekhpura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Kashichak P.S.Case No. 75 of 2018 registered for the offences punishable under Section 379 of the Indian Penal Code and Sections 4/40 of Bihar Minor Mineral Concession Rule, Section 22 of Mines and Mineral (Development of Regulation) Act, 1957 and Rules 3/8 of Bihar Mineral (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

Allegation as per FIR is of seizure of tractor with loaded illegal sand and petitioner is said to be the driver.

Submission of learned counsel for the petitioner is that petitioner is driver and there was valid challan for the loaded sand but at that time he could not produce the same and moreover no



offence under Section 379 IPC is made out against the petitioner.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioner, named above, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Nawada, in connection with Kashichak P.S.Case No. 75 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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