

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50693 of 2018

Arising Out of PS.Case No. -134 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Bhim Singh, S/o Birendra Singh @ Birendra Kumar Singh, Resident of Village- Malpur, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary Bihar Mines and Mineral Department, Govt. of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Barun. P.S. Case No. 134 of 2018, registered for offences punishable under Sections 379, 411, 420/34 of the Indian Penal Code and Sections 4 and 40 of the Bihar Mines and Minerals Act, 1986 and Section 15 of Bihar Environmental Protection Act.

As per F.I.R., allegation against the petitioner is of illegal trafficking of sand.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case and as per the order of owner of the tractor, he was only driving the tractor but he has not committed any offence. It is also submitted



that the petitioner has no criminal history.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks 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 learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S.Case No. 134 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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