

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55998 of 2018

Arising Out of PS.Case No. -132 Year- 2018 Thana -BARUN District- AURANGABAD

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Raju Kumar S/o Sadhu Singh, R/o Vill.- Barun Khenda, P.S.- Barun,
District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 379, 411, 420 along with 34 of the Indian Penal Code, Section 4/40 (BMMCR) of Bihar Minor Mineral Concession rules- 1972 and Section 15 of Environment Protection Act, 1986 registered in connection with Barun P.S. Case No. 132 of 2018.

3. It is submitted that the petitioner has been falsely implicated as he had merely purchased the sand for personal work and was carrying the same after loading the sand, which had been dumped for few months ago by another agencies. The petitioner



claims clean antecedent.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Aurangabad, in connection with Barun P.S. Case No. 132 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions :

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

N.H./- Chandran

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