

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4432 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -BARUN District- AURANGABAD

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Kripa Shankar Singh S/o Shiv Prasad Singh, R/o Village + Mohalla-
Takiya, Railway Gumti, P.S.- Sasaram, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-02-2018

The petitioner seeks bail in anticipation of his arrest in connection with Barun P.S. Case No. 189 of 2017 dated 05.11.2017 instituted for the offences under Sections 379, 411,420, 120B/34 of the Indian Penal Code, Sections 3, 4, 5 of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003 and Sections 75/80 of the Bihar Minor Mineral Rules, 2017.

Around twelve tractors were found to have been loaded with sand in violation of the rules framed for carrying of the sand. The petitioner is owner of one of the tractors which was found transporting sand.

It has been submitted on behalf of the petitioner that sand was being transported in his tractor against a valid permit



which has been annexed as Annexure-2 to the petition. It has further been submitted that despite the driver of the vehicle having shown such valid permit, the petitioner in a malicious manner has also been made accused along with others. The petitioner does not have criminal antecedents.

For the facts stated above, the petitioner, above named is directed to be released on bail, in the event of his surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to his furnishing bail bond in the sum of Rs. 10,000/-(ten 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. 189 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

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