

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37112 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- BARUN District- Aurangabad

Uday Singh, S/o Avadhesh Singh @ Audhesh Singh, R/o Vill.- Kochdh, Tola-
Pandit Bigha, Son Nagar, P.S.- Barun, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Manish Kumar 2, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Barun P.S. Case No.85 of 2018, registered for the offence punishable under Sections 379, 411, 420/34 of the Indian Penal Code, Section 4/40 of the Bihar Minor Mineral Concession Rules and Section 15 of the Environment Protection Act.

The prosecution case is that on 23.04.2018 in compliance of the order of the District Magistrate, the informant who was Mines Inspector, raided Kochar Sand Ghat in order to check the illegal mining and trafficking of sand and found 35-40 tractors loaded with illegal sand. Some of the drivers tried to



unload sand but could not succeed and some drivers of the tractors managed to run away. The tractor of the petitioner was seized, description of which, is mentioned in the First Information Report.

Learned counsel for the petitioner submits that petitioners have been made accused merely on suspicion. He further submits that other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 18.06.2018 passed in Criminal Miscellaneous No.33411 of 2018 and order dated 07.06.2018 passed in Criminal Miscellaneous No.34158 of 2018.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Uday Singh, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No.85 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation



and interrogation, he will remain present for the investigation.

In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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