

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11668 of 2018

Arising Out of PS.Case No. -222 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

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Navin Kumar son of Nagendra Rai, resident of village- New Tola Tanra,
Paigambarpur, P.S.-Mohiuddin Nagar, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Garaul (Kathara O.P.) P.S. Case No.222 of 2017 registered under
Sections 188 and 379/34 of the Indian Penal Code, Mines and
Minerals (Development and Regulation) Act, 1957, Rules 4 and
40 of the Bihar Minor Minerals Concession Rules, 1972 and Rules
3 and 8(d) of Bihar Minerals (Prevention of Illegal Mining,
Transportation and Storage) Rules, 2003.

considering the nature of allegation and the submissions
made by the learned counsel for the petitioner that the petitioner
being the owner of the truck cannot be held responsible for the act
of his driver, who is alleged to have transported illegally mined
sand on the truck, in the event of arrest or surrender in the court



below within six weeks from today, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hajipur (Vaishali) in connection with Garaul (Kathara O.P.) P.S. Case No.222 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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