

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22567 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- BARUN District- Aurangabad

Krishna Ram S/o Ramashish Ram , R/o Vill.- Tendua Dushadi, P.S.- Dehri,
District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Barun P.S. Case No. 49 of 2018 registered for offences under sections 379, 411, 420, 120(BG), 34 of the Indian Penal Code and Section 4, 40 of the Bihar Minor Mineral Act and Section 15 of Prevention of Pollution Act.

An allegation has been made against the petitioner of illegal trade of mining of sand.

Learned counsel for the petitioner submits the petitioner is the owner and driver of the Tractor and was having a valid Challan of sand (Annexure-3) and, thus, it cannot be said that he was carrying illegal sand.



Looking to the entire facts and circumstances of the case and the fact that the petitioner was carrying the sand with valid Challan, let the petitioner, namely, Krishna Ram, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 49 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

rishi/-

U		T	
---	--	---	--

