

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6322 of 2018

Arising Out of PS. Case No.-303 Year-2017 Thana- MADANPURA District- Aurangabad

Pradeep Kumar @ Pradeep Kumar Yadav

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh
For the Opposite Party/s	:	Mr. SRI RAM NARESH RAY APP
For Mining Deptt.	:	Mr. Naresh Dixit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 379 and 411 of the IPC.

The prosecution case is that on 26.12.2017 at about 5.30 P.M., the informant received secret information that two trucks are carrying sand without any valid permit. Consequently, the two trucks bearing registration nos. UP 51 AT 4061 and UP 51 T 8501 were intercepted, loaded with sand but no challan were produced and hence the case was registered.

It is submitted by learned counsel for the petitioner that the challans were produced and the sand was being carried with valid permit. Petitioner is the owner of the truck bearing registration number UP 51T 8501 and this is not the case of the



prosecution that the truck in question was being driven by the petitioner.

Mr. Naresh Dixit, learned Spl. PP, submits that the sand was being carried without valid challan causing loss to the public exchequer.

Considering the fact that it is not the case of the prosecution that the truck in question was being driven by the petitioner and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Madanpur P.S. Case No. 303 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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