

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23857 of 2018

Arising Out of PS. Case No.-120 Year-2017 Thana- KARAI PARSARAI District- Nalanda

Radhe Prasad, S/o- Sidheshwar Gop, R/o- Vill.- Nijamat @ Nijamat, P.O.-
Nanouri, P.S.- Dhanruya, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2018 Learned counsel for the petitioner is permitted to
make correction in paragraph no.1 of the petition.

Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 379 of the IPC and
Sections 4 and 40 of the Bihar Minor Mineral Concession
Rules, 1972.

The prosecution case, as per the written report of A.S.I.,
Karay Parsuray Police Station, submitted to the Station House
Officer, Karay Parsuray Police Station is to the effect that during
patrolling on 26.12.2017 at 10 A.M., a tractor loaded with sand



was intercepted since the sand was being transported without any valid challan, but the driver of the tractor managed to escape from the scene. The petitioner is the owner of the tractor in question.

It is submitted by learned counsel for the petitioner that the sand was being transported at the behest of the driver of the tractor and the petitioner being the owner of the alleged tractor had no knowledge about the sand being transported.

Learned Special P.P., Mines submits that the petitioner is the owner of the alleged tractor and due to illegal mining and transportation of the sand, the State Government faces huge loss of revenue.

Considering the fact that the petitioner is the owner of the alleged tractor and there is nothing on record to suggest that the petitioner was present when the alleged tractor was seized, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned J.M., 1st Class, Hilsa, Nalanda



in connection with Karay Parsuray P.S. Case No. 120 of 2017,
subject to the condition as laid down under Section 438(2) of
the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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