

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43701 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

Mukesh Kumar Singh @ Mukesh Singh, Son of Rambacchan Singh, Resident
of Village- Karamdih, P.S. Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 23-07-2018 Heard learned Counsel for the petitioner and learned
Special PP for the Mines.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 420, 414 of the
Indian Penal Code and Rule 40 of the Bihar Minor Mineral
Concession Rules, 1972.

The prosecution case got initiated on the basis of written
report dated 22.03.2018, submitted by Mines Inspector,
Aurangabad, to the Station House Officer, Town Police Station,



Aurangabad to the effect that on 22.03.2018 under the supervision of the District Magistrate, Aurangabad, a raid was conducted, when seven tractors were intercepted carrying illegal mined sand, near Block Mod.

It is submitted by learned counsel for the petitioner that the petitioner was driver of one of the tractor intercepted and he was transporting the mines under valid challan. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned Special P. P. for the Mines that the due to the illegal mining huge loss is caused to the state exchequer.

Considering the nature of accusation and the claim of the petitioner, being driver of the tractor that the mines were being carried under valid permit, 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 or surrender before the learned Court below within a period of 12 weeks from today, 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



Aurangabad (Town) P.S. Case No.92 of 2018, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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