

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47306 of 2018

Arising Out of PS.Case No. -133 Year- 2018 Thana -BARUN District- AURANGABAD

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Ugeshwar @ Ugeshwar Paswan @ Ugeshwar Ram @ Yogeshwar Paswan,
S/o- Devnandan Paswan @ Devnandan Ram, resident of Village-
Simarakala, P.S.- Barun, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary cum Commissioner Department of Mines and Geology, Government of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate.
For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Barun P.S.**

Case No. 133 of 2018 instituted for the offence under Sections 379, 420, 411/34 of the Indian Penal Code, Sections 4/40 Bihar Mines and Minerals Concession Rules, 1972 and Section 15 of Prevention of Pollution Act, 1986.

Counsel for the petitioner submits that petitioner was owner-cum-driver of tractor mentioned at Sl. No. 4. He further submits that tractor in question was not loaded with sand. The tractor was parked and petitioner was not present there. Seizure list has been prepared by the police but it does not bear signature of the petitioner or any of his family members.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Barun P.S. Case No. 133 of 2018**, he shall be released on anticipatory 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, Aurangabad**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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