

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14677 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -SABAUR District- BHAGALPUR

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1. Suman Kumar S/o Vinod Yadav, R/o Village- Mansarpur, P.S.- Sabour,
District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Alok Kumar S/o Shri Laldeo Prasad, R/o Basua, P.S.- Rafiganj, District-
Gaya, Presently posted as Mines Superintendent , Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-04-2018 The petitioner is apprehending his arrest in connection with Sabour P.S. Case No. 06 of 2018, registered for offences punishable under Section 397 of the Indian Penal Code and Mines and Minerals (D & R) Act, 1957 and Section 4(1)(1A) of Bihar Mineral Concession Rules 1972, Rule 40 (iv)(v)(vii) of Bihar Mineral (Control) of Illegal Mining Transportation & Storage Rule, 2003 Sub Rule 6(iv)

Allegation against the petitioner is of carrying the over loaded stone chips in his tractor.

It has been submitted on behalf of the petitioner that he is the owner of the tractor and has no knowledge about the acts being done by his driver. Further other co-accused persons having



similar allegation has already been granted the privilege of anticipatory bail vide order dated 10.04.2018 passed in Cr. Misc. No. 14154 of 2018.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bhagalpur, in connection with Sabour P.S. Case No. 06 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

It is also made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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