

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55349 of 2018

Arising Out of PS.Case No. -432 Year- 2018 Thana -KAHALGAON District- BHAGALPUR

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1. Nago Jha @ Nagendra Jha, son of Late Mahavir Jha, resident of
Village- Kahalgaon, P.S. Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-09-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 409/420 of the Indian Penal Code, Section 40 of the Bihar Minor Mineral Concession Rule, 1972, Section 6(4) of Bihar Mineral Concession and Storage Rule, 2003 and Section 15 of the E.P. Act, 1986.

Allegation is that the driver of an overloaded truck with stone chips, which was intercepted by the police, disclosed that the stone chips was of the petitioner and others.

Submission is that the petitioner is a bona fide license holder for business of minor mineral. Co-accused Mahesh Kumar Santhalia, with similar allegation, has already



been allowed anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No.51361 of 2018.

Finding substance in the submission aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Kahalgaon (Ghogha) Police Station Case No. 432 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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