

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62283 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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Didu Pandey @ Akhilesh Pandey S/o Late Brijesh Pandey, R/o Bakrasan,
P.S.- Manpur, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Gaunaha PS case no. 62 of 2017 registered for the
offences punishable under Sections 379, 414 of Indian Penal Code and
Sections 4(i), 40(x) of Bihar Minor Mineral Concession Rules, 1972.

The allegation is that when the police patrolling party
was on patrolling duty, one tractor-trailor loaded with stone chips was
caught and the driver of the said tractor disclosed that the said tractor
belongs to the petitioner and that the stone chips were to be sold in
Narkatiaganj market.

The learned counsel for the petitioner submits that as far
as the provisions of Bihar Minor Mineral Concessions Rules, in which



the petitioner has been booked, are concerned, the same are bailable in nature and there is no allegation of theft of the said stone chips. It is further submitted that the petitioner has a clean antecedent and infact, he had brought the said stone chips for the purposes of construction of his house which is apparent from Annexure 2 to the petition.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail, 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 on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Bettiah (West Champaran) in connection with Gaunaha PS case no. 62 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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