

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41417 of 2018

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1. Abbas Ansari, Son of Amanullah Ansari @ Amanullah, Resident of Village- Nechua Pandey Tola Police Station- Kuchaikote, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 11.07.2018 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Kuchaikote P. S. case no. 70/2018 registered under sections 4, 27A of Bihar Laghu Khaniz Samudan Act, 1972, sections 33 and 40 of Bihar Mineral Prevention of Illegal mining storage Rule, 2003 and section 15 of Environment Protection Act.

The accusation against the petitioner is that he was running brick-kiln near primary health center violating rule and provision of Environment Protection Act, 1986.

Admittedly, except section 15 of Environment Protection Act, 1986, all remaining sections are bailable in



nature and there is nothing in the first information report to show that the petitioner had not adopted proper measure to protect environment.

Accordingly, it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VII, Gopalganj in Kuchaikote P. S. case no. 70/2018 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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