

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73079 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- SONEPUR District- Saran

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Chandra Bhushan Prasad Singh, Son of Late Dharikshan Singh, Residing at House No. 78A, Dighi Khurd Near Paswan Chauck, Chanakya Colony, Hajipur, P.S.- Hajipur (Town) District- Vaishali, Proprietor of M/s Sharda Bricks Industries, Situated at Village- Shikarpur (Dariyapur), P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Maharaj
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2018 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail on behalf of the petitioner in Sonapur P.S. Case No. 102 of 2018, registered under Sections 188, 379 and 34 of the Indian Penal Code, Sections 4 and 40 of the Bihar Minor Mineral Concession Act, 1972, and Section 15 of the Environment (Protection) Act, 1986.

The petitioner operates a brick-kiln. As alleged by the informant, the Circle Officer, Sonapur, that the petitioner failed to produce 'no objection certificate' required to be issued by the Environment and Pollution Control Board.

Learned counsel, appearing on behalf of the



petitioner, has submitted that the petitioner had not started the said brick-kiln, when the case came to be registered.

Considering the aforesaid submission, this application is allowed. Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Saran at Chapra in Sonapur P.S. Case No. 102 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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