

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19695 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- MANJHI District- Saran

Ram Chandra Yadav S/o Dhanjee Yadav, R/o Chand Diyar, P.S.- Bairiya,
District- Balia, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ravindra Kumar Singh
For the Opposite Party/s :	Mr. Sri Nawal Kishore Prasad
For the Mines Deptt. :	Mr. Naresh Dikshit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 188, 379 and 406 of the IPC and section 40(8) of Bihar Minor Mineral Concession Rules, 1972.

The prosecution case is that the tractor of the petitioner was intercepted by the police while carrying illegally mined sand. The petitioner is the owner of the vehicle in question.

It is submitted by learned counsel for the petitioner that the petitioner was not aware about the sand being carried through his tractor. This is not the case of the prosecution that the petitioner was present on the tractor when it was seized. Statement has been made in paragraph 3 of the petition that the



petitioner is not having any criminal antecedent.

Mr. Dikshit, learned Special PP submits that it is a case of causing loss to the public exchequer by carrying illegally mined sand.

Considering the fact that the petitioner was not present at the time of seizure and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saran at Chapra in connection with Manjhi P.S. Case No.8 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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