

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57828 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- RAFIGANJ District- Aurangabad

Binod Kumar @ Vinod Kumar, S/o Indradeo Yadav, Resident of Village-
Khaira, P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Rafiganj P.S. Case No. 39 of 2018 dated 10.03.2018 instituted for the offences under Sections 4(1) and 4(1A) of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 26(A), 27, 40 of Bihar Miner Mineral Concession Rule, 1972.

The petitioner is being prosecuted in the present case for running a brick-kiln under a license which has not been renewed as mandated under the relevant Act and the Rules.



Learned counsel for the petitioner has submitted that since the business of running the brick-kiln was not profitable, the petitioner has stopped running the same since 2015. Without ascertaining the aforesaid fact and only because the petitioner in the past was a licensee for running a brick-kiln, the present case has been lodged.

Regard being had to the aforesaid fact, the petitioner above-named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 39 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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