

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24693 of 2018

Arising Out of PS.Case No. -95 Year- 2018 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. Satyendra Kumar S/o Sukhdev Yadav resident of Village Jagdishpur
Tiyari, P.S. Noorsarai District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Giriyak P.S.Case no.95 of 2018 , registered for offences
punishable under Sections 4/40 of Bihar Minerals Concesiosns
Rules, 1972 and Section 8 (D) of Bihar Minerals (Prevention of
Illegal Mining, Transportation and Storage) Rules, 2003.

Allegation against the petitioner as per FIR is that the
Tractor fo the petitioner was intercepted with loaded sand and no
valid licence was shows for that.

Submission of the learned counsel for the petitioner is that
he is owner and he had given it on hire basis and he has nothing
to do with the seized sand.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM I, Biharsharif in connection with Giriak P.S.Case no.95 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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