

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6156 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- NARALI KALA KHURD District-
Aurangabad

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Akhilesh Kumar S/o Ram Pravesh Singh Resident of Village-Shobekhap, P.S-
Narari Kala, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-02-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Narari Kala Khurd P. S. Case No. 41 of 2018 dated 09.12.2018 instituted for the offences under Sections 379 and 411 of the Indian Penal Code; Section 4/40 of the Bihar Minor Mineral Concessions Rules, 1972; and Section 15 of the Environment Protection Act, 1986.

The tractor of the petitioner of which he is the driver, also was found unauthorizedly loaded with sand.

Learned counsel for the petitioner has submitted



that only on being satisfied by the assertions made by a customer that the sand was obtained through a valid challan, the petitioner agreed for loading the same on his vehicle. The petitioner has no idea that the extraction of sand was in an unauthorized manner and that its transportation entailed criminal offence.

The petitioner has clean antecedents.

For the afore-stated facts, 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 Narari Kala Khurd P. S. Case No. 41 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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