

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18020 of 2019

Arising Out of PS. Case No.-211 Year-2018 Thana- BAUNSI District- Banka

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KISHORE KUMAR KOUSHIK S/O Kailash Bihari Gop Resident of -
38T/Kawta, Ward No.2, Dalsing Sarai, P.S.- Dalsing Sarai, District-
Samastipur. Owner and Driver of Truck Bearing No.BRO6GC-7857

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2019 This application, for grant of anticipatory bail,

arises out of Bounsi P.S. Case No. 211 of 2018, disclosing

offences under Sections 4 and 40 of the Bihar Minor Minerals

Concession Rules, 1972 under Section 2003, sub rule 3,6,8 of

Bihar Minerals (Prevention of Illegal Mining Transporting and

Storage Rules) 2009 and under Section 379/411 of the Indian

Penal Code.

Allegation as per F.I.R. several trucks loaded with

stone chips, sand, and soil were seized and on demand, valid

challan has not been produced and petitioner is also the owner

of one of the trucks.

Submission of learned counsel for the petitioner is

that he has valid license transport and also the challan for the



business of lifting stone chips and other materials.

Learned counsel for the State opposed the prayer for bail and submitted that on demand from the petitioner, he did not produce the valid challan.

Having heard both sides, considering the facts and circumstances, this application is disposed of with direction to the petitioner to surrender before the court below within a period of four weeks and produce all the relevant papers, on which, the court below shall release the petitioner on provisional bail to his own satisfaction on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) and the court below shall verify the same from the concerned authorities and if once the papers are verified, the court below shall confirm the provisional bail of the petitioner otherwise, he may pass any order as he deems fit and proper including cancellation of provisional bail of the petitioner.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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