

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8458 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- SURYAGARHA District- Lakhisarai

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AMIT KUMAR @ KARU KUMAR (M) aged about 25 years, Son of Late Arun Singh, Resident of Village - Rampur, P.S.- Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, ApP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-02-2019 The petitioner seeks bail in anticipation of his arrest in connection with Surajgarha P.S. Case No. 259 of 2018, dated 07.12.2018, instituted for the offences under Sections 379, 411, 143, 353 and 427 of the Indian Penal Code, Section 4/40 of the Bihar Mineral Mining Concession Act, 1972, Sections 4, 6 and 8 of the Bihar Control of Prevention of Illegal Mining, Transportation and Storage Act, 2003 and Section 15 of the Environment Protection Act,



1986.

The petitioner is the owner of one of the three tractors which was apprehended because of those vehicles having been loaded with unauthorizedly extracted sand.

The learned counsel for the petitioner has submitted that the petitioner has been made accused in this case only on the basis of his ownership of one of the tractors which was intercepted. The petitioner has further submitted that he had instructed his driver not to load sand without seeing the valid *chalan* for transporting the same. It appears that the driver has played the truant in accepting to transport sand which was not properly extracted, without checking up the validity of the *chalan* for loading/transporting the same.

Regard being had to the aforesaid facts as also taking into account the clean antecedent of the petitioner above named, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail



bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction
of learned Chief Judicial Magistrate, Lakhisarai in connection
with Suragarha P.S. Case No. 259 of 2018, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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