

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9081 of 2019

Arising Out of PS. Case No.-1167 Year-2018 Thana- SONEPUR District- Saran

FAUJDAR SAHANI Son of Late Arthi Sahani R/o village- Sobhepur, P.S-
Nayagaon

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 27-02-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sonepur P.S. Case No. 1167 of 2018 for the offence under Sections 118, 379 and 411 of the Indian Penal Code, Section 4/40 of the B.M.M.C.Act, 1972, Section 4/21 of the M.M.D.R. Act, 1957, Section 3/8(a) of the B.P.M.T.S. Act, 2003 and Section 15 of the Environment Act, 1986.

It appears from the case of the prosecution that the Mining Inspector seized three boats and arrested six persons while carrying out illegal mining of extraction of sand from Ganga river. The petitioner has been implicated on the ground that one of the boats so seized is owned by him.

Learned counsel appearing on behalf of the petitioner has submitted that the case of the prosecution does not disclose that it was within the petitioner's knowledge that his



boat was being used for illegal mining. The petitioner has no criminal antecedent as has been stated in paragraph 3 of the application.

Considering the facts and circumstances and the submissions so advanced, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Saran at Chapra, in Sonapur P.S. Case No. 1167 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Pawan/-

U		T	
---	--	---	--

