

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11095 of 2019

Arising Out of PS. Case No.-703 Year-2017 Thana- MOHANIYA District- Bhabhua (Kaimur)

JAWED HASAN Son of Mehandi Hasan Resident of Village- Mugalchak, Ali
Nagar Ward No.16, P.S.- Ali Nagar, District- Chandauli (U.P)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Suman Kumari Singh

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

ORAL ORDER

2 25-02-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mohania P.S. Case No. 703 of 2017 for the offence under Section 411/34 of the Indian Penal Code and Section 40(1) of the Bihar Mines and Mineral Act, 1972.

It seems from the case of the prosecution that a truck was intercepted by the District Mining Officer, Kaimur, Mohania, which was overloaded and the quantity of sand was found to be more by 700 CFT.

Learned counsel appearing on behalf of the petitioner submits that only on the basis that the petitioner is owner of the vehicle, he has been implicated.

Considering the facts and circumstances, 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 C.J.M., Kaimur at Bhabhua in Mohania P.S. Case No. 703 of 2017, 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)

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