

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11940 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- SAHODARA District- West Champaran

Guddu Jaiswal, aged about 34 years, male, Son of Shambhu Prasad, Resident of Village- Narkatiaganj, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma Mr. Rashmi Jha
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1
For the Mining	:	Mr. Naresh Dikhsit Mrs. Kalpana

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2019 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offence punishable under Section 379/34 of the Indian Penal Code and under Sections 4 and 40 of the Bihar Minor Mineral Concession Rules, 1972.

The prosecution case as per the written report of Pramod Kumar Dwivedi, Forest Officer, Dhori submitted to SHO, Sahodra Police Station is to the effect that during patrolling, he found a tractor loaded with sand at village Rajpur and identified some of the contractors, leading to the registration of the FIR.

It is submitted by learned counsel for the petitioner there is



no seizure from the petitioner and petitioner has been made accused in the present case only on the basis of suspicion. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the mining submits due to illegal mining, huge loss has been caused to the public exchequer.

Considering the fact that there is no seizure from the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **SDJM, Narkatiaganj, West Champaran at Bettiah** in connection with **Sahodra P.S. Case No.11 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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