

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18593 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- BARUN District- Aurangabad

Sunil Kumar, Son of Harihar Prasad, Resident of Village - Korariya,
Chandauli, P.S.- Parav Ram Nagar, District- Varanasi

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Cum Commissioner Department of Mines and
Geology, Government of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Barun P.S. Case No. 17 of 2019 registered for the offences punishable under Sections 147, 149, 341, 323, 308, 353, 379, 411 and 420 of the Indian Penal Code, Section 4/40 of the Bihar Mines and Minerals Concession Rules, 1972 and Section 15 of the Prevention of Pollution Act, 1986.

Learned counsel for the petitioner submits that the name of this petitioner has been involved in this case on mere suspicion that he was one of the drivers of two tractors on which the illegal sand was found loaded. It is submitted that there is no material to connect this petitioner with the present case. It is also submitted



that the owner of the tractor has already been granted anticipatory bail in Cr.Misc.No. 20205 of 2019 on 03.04.2019.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein nothing has been stated in the FIR making allegation against this petitioner and the owner of the tractor has already been granted anticipatory bail in Cr.Misc.No. 20205 of 2019 on 03.04.2019 and no other material has been brought to the notice of this Court to connect this petitioner in the present case and the submission is that his name has been involved on mere suspicion that he was one of the drivers of two tractors as also that the petitioner has no criminal antecedent, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 17 of 2019, subject to the condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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