

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19743 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- BARUN District- Aurangabad

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LALCHAND CHAUDHARY S/o- Ramjanam Choudhary R/o Village-
Dhamani, P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Principal Secretary cum Commissioner Department of Mines and
Geology, Govt. of Bihar, Patna. Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 379/411/420/34 IPC and Sectionm 4/40 of the Bihar
Mines and Minerals Concession Rules, 1972 and Section 15 of the
Prevention of Pollution Act, 1986 registered in connection with Barun
P.S. Case No. 06/2019.

3. It is submitted that the petitioner has been falsely implicated
on mere suspicion and the petitioner has no concern whatsoever
either with the subject truck or with the sand. Similarly situated co-
accused Vikash Kumar has been granted anticipatory bail by this Court
in Cr. Misc. No. 17801 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned
CJM, Aurangabad in connection with Barun P.S. Case No. 06/2019



subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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