

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21041 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- BARUN District- Aurangabad

MD. AFROZ, aged about 45 years(Male), Son of Md. Israil, Resident of Village-Kochadh tola, Sheikhbigha, P.S.-Barun, District-Aurangabad.

... .. 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.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-04-2019 Heard both sides.

The petitioner apprehends his arrest in Barun P.S. Case No.36 of 2019 registered under Sections 379, 411, 420 and 34 of the Indian Penal Code and under Rule 4 and 40 of Bihar Mines and Minerals Concession Rules and under Section 15 of Environment Protection Act.

The informant intercepted seven tractors but the driver of the tractors fled away. All the tractors were loaded with sand.

The learned counsel for the petitioner submits that the petitioner is driver of Mahindra tractor bearing Engine No.RJM2EAN1049. The petitioner is made accused only



because he happens to be the owner of the tractor. The driver of the tractor was plying the tractor on hire.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten 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.36 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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