

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76227 of 2018

Arising Out of PS. Case No.-92 Year-2018 Thana- DARIHAT District- Rohtas

Paras Singh @ Parasnath Singh S/o Indev Singh @ Inerdev Singh @ Indradev Singh, Resident of Village- Hurka, P.O. Darihat, P.S- Darihat, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Tiwary, Adv.

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned Special P.P. for the Department of Mines.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379/411 of the IPC and Rule 40(1) the Bihar Minor Mineral Concession Rules, 1972.

The prosecution case is that on 16.09.2018, the tractor of the petitioner loaded with sand was intercepted. The petitioner being the owner and driver of the truck in question fled away from the scene.

It is submitted by learned counsel for the petitioner that the petitioner that the sand was being transported under valid challan and maliciously the present case has been lodged.



Learned Special P. P. for the Department of Mines submits that illegal mining is causing huge loss to the state exchequer.

Considering the fact that this is not in dispute that the sand was being transported under valid challan, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Dehri (Rohtas) in connection with Darihat P.S. Case No.92 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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