

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24691 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- ROHTAS District- Rohtas

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RAKESH TIWARI Son of Late Mukha Tiwari @ Mukhan Tiwari @ Mukhar
Tiwari @ Srikant Tiwari Resident of Village- Badihan, P.S.- Tilauthu, P.O.-
Sewahi, District- Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Mining Officer, Rohtas, Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Rohtas P.S. Case No. 17 of 2019 for the offence

punishable under Sections 379/411 and 34 of the Indian

Penal Code and Sections 3, 6 and 8 of Bihar, Mines and

Minerals Transportation and Section 4/40 of Mines and

Mineral Act, 1972.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has not committed any offence. In fact, the

petitioner has purchased the alleged sand through its valid



Challan bearing No. 280932796441 dated 17.01.2019, which is evident from the Annexure-2. The petitioner is not involved in the illegal business of illegal sand. Hence, the petitioner may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rohtas in connection with Rohtas P.S. Case No. 17 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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