

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25042 of 2019

Arising Out of PS. Case No.-60 Year-2019 Thana- BARUN District- Aurangabad

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AMARJIT KUMAR S/o Ram Pravesh Yadav Resident of Village- Dhanwa,
P.S.- Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 25-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory
bail in connection with Barun P.S. Case No. 60 of 2019 registered
for the offences punishable under Sections 379, 420, 411/34 of the
Indian Penal Code and Sections 4, 40 of the Bihar Minore Mineral
Concession Rule and Section 15 of Environment Protection Act.

Learned counsel for the petitioner submits that as per
the prosecution story, on 13.03.2019 when the Mining Officer
raided Ainikat Ghat, the Truck bearing registration no. UP65GT-
5070 and Tractor bearing Chasis No. 927013185333 were found
overloaded with sand. It is alleged that the drivers managed to
escape but the vehicles with the consignment were seized.

Learned counsel for the petitioner submits that the



petitioner is the owner-cum-driver of the Tractor bearing Chasis No. 927013185333 mentioned at serial no. 2 of the seizure list. It is submitted that no such occurrence as alleged has taken place. The Tractor in question was in fact loaded with soil in which there was traces of sand and the Mining Officials seized the Tractor only for oblique reasons.

Learned counsel for the State has opposed the prayer of anticipatory bail.

In the given facts and circumstances of the case where the petitioner claims to be the owner of the Tractor and it is his submission that the Tractor was loaded with soil as also that the petitioner has no criminal antecedent, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Barun P.S. Case No. 60 of 2019 be enlarged on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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