

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31535 of 2019**

Arising Out of PS. Case No.-19 Year-2019 Thana- AMBA District-
Aurangabad

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GANDHI MEHTA, male, aged about 41 years, Son of Rajendra Mahto
Resident of Village - Bhalwari Khurd Tola Mahabir Ganj, P.S.- Amba, Dist.-
Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-05-2019 As prayed, learned counsel for the petitioner is permitted to make correction in the engine no. "JH2089" inadvertently typed in place of "72089" in paragraph-8 of the petition, in course of the day.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest for the offences alleged under Sections 379, 411, 420,34 of the Indian Penal Code and 4/40 BMMC Rule and 15 of Environmental Protection Act registered in connection with Amba P.S. Case No. 19 of 2019.

4. It is submitted that the petitioner has been falsely implicated merely because he happens to be the owner of the



tractor which was found loaded with illegal sand. As a matter of fact, the tractor had been taken by the petitioner's driver who was carrying the sand for construction of his house. The petitioner claims clean antecedents.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law, without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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