

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30529 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- BARUN District- Aurangabad

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TRIPURARI KUMAR SHARMA S/o Late Bhagwat Sharma Resident of
Village- Pipra, P.S.- Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

- 1.The State of Bihar
2. Bihar Minor Mineral Concession through Principal Secretary, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-08-2019 The petitioner apprehends his arrest in connection with

Barun P. S. Case No. 45 of 2019 registered under Sections

379,411 and 420/34 of the Indian Penal Code and 4 and 40 of

Bihar Minor Mineral Concession Rule and 15 of Environment

Protection Act.

Allegation against the petitioner is that the Assistant

Mining Officer, while was on patrolling duty, intercepted 10

tractors loaded with illegal sand including the tractor of

petitioner of which he was driver and tractor of the petitioner is

listed at sl. no. 1 in the column of seizure list.

Learned counsel appearing on behalf of the petitioner

submits that petitioner has got no criminal antecedent and he

was merely driver of the tractor and similarly situated other co-



accused persons, whose tractors were also seized by the mining officer and are drivers and owners, have been granted privilege of anticipatory bail by the co-ordinate Benches of this Court in Cr.Misc. No. 25397 of 2019 and Cr. Misc. No. 25561 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is driver and has got no criminal antecedent and similarly situated co-accused persons have been granted bail, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S.Case No. 45 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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