

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32721 of 2019**

Arising Out of PS. Case No.-29 Year-2019 Thana- BARUN District- Aurangabad

Harendra Singh, S/o Hari Krishan Singh @ Hari Kishan Singh, R/o Village Gopi Bigha, P.S. Dehri, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abdul Sattar Saif, S/o Late Sekh Gulam, R/o- Village-Baghara, P.S.- Moredahi, District- khagaria, At Present Mines and Minerals Development Officer, Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harendra Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP
For the Mining Department	:	Mr. Naresh Dikshit Kalpana, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2019 This is an application for grant of anticipatory bail in connection with Barun P.S. Case No. 29 of 2019, disclosing offences under Sections 379, 411, 420, 34 of the Indian Penal Code and Section 4/40 of BMMC Rules & 15 of Environment Protection Act.

Allegation as per F.I.R. is that Mining Officer got an information that illegal of loading sand at the bank of river, on which, raided the place of occurrence and found a truck bearing No. UP- 67 T- 6590 and one loading machine and the driver and other persons succeeded in fleeing away from the spot.

Submission of the learned counsel for the petitioner is that he is owner of the loader machine and he was not engaged



in business, rather he is ready to abide by any condition imposed upon him.

Heard learned A.P.P. as well as learned counsel appearing on behalf of the Mining Department, they have opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail which will be considered by the learned court below and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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