

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76753 of 2018

Arising Out of PS. Case No.-942 Year-2018 Thana- SONEPUR District- Saran

=====

Barelal Prasad S/o Jai Kishun Sah R/o Village Bhagwan Chapra,P.S.
Siwaipatti,Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh
For the Opposite Party/s : Mr.Sri Bharat Lal

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-01-2019 Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Sonpur P.S. Case No.942 of 2018, disclosing offences under Sections 188,379,411,467,468,471 and 420/34 of the Indian Penal Code, Sections 4/21 of the Mines and Minerals (Development and Regulation) Act and Sections 3/8 of the M.I.M, Act.

The police and officials of the Mines Department are said to have seized five trucks engaged in illegal extraction and mining of sand. One of the five trucks belongs to the petitioner. On demand, the drivers of four trucks produced *challan* in support of the extraction and carriage of the sand. It is alleged that the said *challans* were forged.



The petitioner is the owner of one of the four trucks bearing registration No. BR-06G/1467.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner did not have any knowledge about the illegal mining for which the truck was put to use by the person, who had hired the truck for business purposes. He has submitted that in similar circumstance another co-accused, an owner of another truck has been granted anticipatory bail by this Court by order dated 21.12.2018 passed in Cr. Misc. No. 72861 of 2018.

Considering the above submission, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in Sonapur P.S. Case No.942 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as



and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

