

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34627 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- ISHIPUR District- Bhagalpur

Shiv Shankar Singh, S/o Late Rajendra Prasad Singh, Resident of Dak Bunglow Road, P.S.- Kahalgaon, District- Bhagalpur, Bihar, Permanent resident of village- Nandlalpur, P.O.- Nandlalpur, P.S.- Kahalgaon, District- Bhagalpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-08-2019 This is an application for grant of anticipatory bail in connection with Ishipur Barahat P.S. Case No. 27 of 2019, disclosing offences under Sections 379, 411 of IPC and Section 4/40 of the Bihar Mines and Mineral Concession Rules, 1972, Sections 4/6/8 of the Bihar Control of Protection Illegal Mining Transportation and Storage Rules, 2003 and Section 13 of the Environment Protection Act, 1986.

Prosecution story is that police intercepted six Hiwa Trucks loaded with stone chips, on demand papers of the loaded stone chips, some Hiwa Trucks were released. However, in the present case, the driver fled away.

Submission of the learned counsel for the petitioner is that petitioner is the owner of Hiwa Truck bearing No. JH 15-6425 and JH 15 K- 5028 and he has loaded the stone chips for



the purpose of road construction works going on at Bhagalpur. It has also been submitted that Hiwa Truck has also been released in favour of the petitioner by a Co-ordinate Bench of this Court, vide order dated 28.06.2019 passed in C.W.J.C. No. 12961 of 2019.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M. VIII, Bhagalpur, in connection with Ishipur Barahat P.S. Case No. 27 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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