

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37747 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- RANIGANJ District- Araria

Md. Jabid Alam @ Md. Javid Alam, Gender-Male, aged about 36 years, Son of Manzoor Alam Resident of Village - Dimiya, P.S.- Jalalgarh, District- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mining officer, Araria. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sharma, Adv. Mr. Kumar Ravish, Adv. Mr. Kashyap Kaushal, Adv.
For the Mines	:	Mr. Naresh Dikshit, Spl. P.P., Mines

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Raniganj P.S. Case No. 85 of 2019 registered for offences under sections 40 of the Bihar Miner Minerals Concessions Rules, 1972, Section 3, 8 of the Bihar Miner Minerals Concessions Act and Sections 379, 353 of the Indian Penal Code.

In the present case, the petitioner is the registered owner of the seized truck and the stone chips loaded in the truck was purchased by the builder from the stone suppliers and the



petitioner was only transporting the stone chips to the site of the builders.

Learned counsel for the petitioner submits that the petitioner has nothing to do with the ownership of the chips rather he has only entered into the agreement with the builders to transport the chips to the site.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 85 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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