

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50444 of 2019

Arising Out of PS. Case No.-190 Year-2019 Thana- RAMPUR District- Gaya

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1. RAMESH PASWAN Son of Kailash Paswan Resident of Village- Hariyadag, P.S.- Mohanpur, Dist. Gaya.
 2. Bijay Nandan Gupta Son of Kalicharan Gupta Resident of Village- Pratap Pur, P.S.- Pratap Pur, District- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 379 of the Indian Penal Code and Section 4 and 21 Rule MMDR Act, 1957 Rule 4, 40 of the Bihar Small Mines Rule, 4/5(A), 5 (c) and 8 (a) Rule 6 of Bihar Mine (IMT) & Bhandaran Prohibition Rule, 2003 registered in connection with Rampur P.S. Case No. 190 of 2019.

3. It is submitted that the petitioners have been falsely implicated and they have not specifically been named in the FIR which has been instituted against the driver and owner of the truck bearing no. UP 67T 1156 which was found loaded with stone chips without licence or challan. It is however admitted that the petitioners are the driver and owner of the said vehicle. It is further stated that the petitioners are ready to make payment of the revenue relating to the stone chips in question to the Mines Department. The petitioners claim clean antecedents.

4. Learned APP submits that the petitioners admit that they were the driver and owner of the truck loaded with stone chips



without any licence and challan available.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

6. If the petitioners surrender and seek regular bail before the learned Court below the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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