

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50316 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- BARUN District- Aurangabad

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KANHAIYA YADAV Son of Late Ram Bali Yadav Resident of Village -
Jamuhar, P.S.- Dehri On Sone, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Barun P.S. Case NO. 81 of 2019, disclosing offences under Sections 379,411,420/34 of the Indian Penal Code, Section 4, 40 of the Bihar Mine Minerals Concession Rules and Section 15 of the environment Protection Act.

The petitioner is admittedly owner of Mahindra Tractor bearing registration No. B-275DI, which was found carrying illegally mine sand.

Learned counsel appearing on behalf of the petitioner has submitted that his implication is based on the only fact that he is the owner of the vehicle. He has further submitted that on the same day from the same place of occurrence several vehicles were seized with same allegation, leading to registration of one FIR. Others have



been allowed anticipatory bail by this Court by various orders, he contends.

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 bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Barun P.S. Case No. 81 of 2019, 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)

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