

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54047 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- RAJAON District- Banka

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Ghanshyam Mandal, Aged about 32 years, Male, Son of Gango Mandal,
Resident of Village - Masudanpur, P.S.- Kahalgaon, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Chandra Jha

For the Opposite Party/s : Mr.Ramchandra Sahn

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-08-2019 Heard both sides.

Petitioner apprehends his arrest in Rajoun P.S. Case No.25 of 2019, registered under Sections 379, 411, 420, 467, 468, 471 and 120B of the Indian Penal Code, Sections 4/40 of the B.M.M.C. Rule, 1972, under Sections 3, 6, 8(d) of Bihar Mining Illegal Transportation, Storage Prevention Act, 2003, under Sections 3/4 of Damage of Property Act as well as under Section 15 of the Forest Environment Act.

The petitioner is alleged to have transported sand on forged *Challan*.

Learned counsel for the petitioner submits that the petitioner is driver of the vehicle. Manoj Kumar Paswan, the owner of the vehicle has already been granted anticipatory bail by order dated 18.07.2019, passed in Cr. Misc. No.23926 of



2019. The case of the petitioner stands on better footing as the petitioner had no manner of concern with the forged *Challan*. The petitioner is a driver and the owner of the vehicle entrusted him the *Challan* for transportation of sand.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged 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 C.J.M., Banka in connection with Rajoun P.S. Case No.25 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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