

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60829 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- BARUN District- Aurangabad

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KUNDAN KUMAR Son of Bali Paswan Resident of Village - Karhara, P.S.-
Barun, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-11-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Barun P.S. Case No. 93 of 2019 dated 13.04.2019 instituted for the offences under Sections 379, 411, 420 and 34 of the Indian Penal Code, Section 4/40 of BMMCR and Section 15 of the Environment Protection Act.

Three vehicles were intercepted as they were found to be transporting sand in an unauthorized manner. One of such vehicles belongs to the petitioner.

Learned counsel for the petitioner submits that the vehicle was given to the driver for being plied on commercial basis. The petitioner had instructed his driver not to indulge in any illegal act. Despite this, the driver



chose to transport sand with the vehicle belonging to him. It has further been submitted that on enquiry from the driver, it was learnt that the driver of the vehicle did not have any idea that the sand had been illegally extracted.

The aforesaid driver who also was made accused in this case has been granted anticipatory bail by a bench of this Court.

Considering the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum 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 connection with Barun P.S. Case No. 93 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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