

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62042 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- PARAIYA District- Gaya

JYOTI RANJAN Son of Arvind Kishore Choudhary Resident of Village -
Ramdih, P.S.- Paraiya, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-10-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Paraiya Police Station Case No. 99 of 2019, disclosing offences under Sections 379/411 of the Indian Penal Code, Sections 4/21 of the MMDR Act, Sections 4/40 B.M.M.C. Rules and Rule 6 Sub-Rules 4, 5(A), 5(C), 8 (A) of the B.M. (I.M.T. and S) Rules

The allegation against the petitioner, as per the First Information Report, is that the tractor owned by the petitioner was intercepted by the Mining Officer and sand extracted from illegal mining to the extent of about 100 cft. was found in the tailor, attached with the tractor.

Learned Counsel for the petitioner submits that



though the petitioner is the owner of the tractor, but the same was being driven by the driver and without the consent and permission of the petitioner, sand, in question, was allegedly carried by the driver.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is the owner of the tractor and the same was being driven by the driver, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Jyoti Ranjan, in the event of his arrest or surrender before the Court below within four weeks, 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 Additional Chief Judicial Magistrate-III, Gaya, in connection with Paraiya Police Station Case No. 99 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	✓	T	✓
---	---	---	---

