

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60417 of 2019

Arising Out of PS. Case No.-287 Year-2019 Thana- BODHGAYA District- Gaya

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NAGINA YADAV, Son of Laxman Yadav Resident of Village - Mathiani,
Mahadev Khap, P.S.- Magadh University, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bodh Gaya P.S. Case no. 287 of 2019, registered under Sections 379 and 411 of the Indian Penal Code and Section 4/21 of M.M.D.R. Act, Section 4/40 of Bihar Mines and Mineral Rules, Rule 4, 5(A), 5(C) and 8(A) of B.M. (IMT&S) Rule, 2003.

The accusation is that in course of checking of the vehicle, a truck bearing registration No. BR2H-8263 was stopped, which was loaded with stone chips. On query, driver of the truck disclosed his name Santosh Kumar, but he did not give any paper regarding carrying of stone chips.

Learned counsel for the petitioner submits that



petitioner is the owner of the seized truck bearing registration No. BR2H-8263 and his truck was attached with transporter for fare and petitioner had no knowledge about carrying of illegal extracted stone chips by its driver.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 287 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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