

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64458 of 2019

Arising Out of PS. Case No.-314 Year-2018 Thana- SHIVSAGAR District- Rohtas

KAMLESH MISHRA @ KAMLESH KUMAR MISHRA Son of Kedar Mishra Resident of Canal Road, Mahaveer Asthan, Sasaram, Police Station- Sasaram (T), District- Rohtas.

... .. Petitioner.

Versus

1. The State of Bihar
2. The District Mining Officer, Rohtas at Sasaram. Bihar

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Senior Advocate. Mr. Rajani Kant Singh, Advocate.
For the State	:	Mr. Mohammad Sufyan, A.P.P.
For Mines	:	Mr. Naresh Dikshit, Special P.P.. Mines.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-11-2019 Heard the parties.

The petitioner apprehends his arrest in connection with Shivsagar (Baddi) P.S. Case No.314 of 2018 registered under Sections 379 and 411 of the Indian Penal Code besides Section 40(i) of the Bihar Mines and Mineral act, 1972.

The accusation is that in course of checking of the vehicle, one tractor attached with trailer was seized on which illegal sand was overloaded. The driver of the tractor attached with trailer succeeded to flee away.

Learned counsel for the petitioner submits that the petitioner is the owner of the seized tractor attached with trailer,



which was being driven by the driver. The petitioner was not apprehended on the spot and the petitioner had no knowledge about carrying the sand on the same by the driver. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sasaram, District-Rohtas, in connection with Shivsagar (Baddi) P.S. Case No.314 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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