

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72695 of 2019

Arising Out of PS. Case No.-118 Year-2019 Thana- NASRIGANJ District- Rohtas

MD. HABIBULLA ANSARI Son of Late Badruddin Ansari Resident of
Village- Nasriganj, P.S.- Nasriganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Nasriganj P.S. Case No. 118 of 2019, registered for the offences punishable under Sections 379, 411, 120 (B) of the Indian Penal Code, B.M.M.C. Rules,1972 at Rule 4 & 40 of Bihar Illegal Mining Transportation & Storage Rule 2003 at Rule 3 & 8, Illegal Mining Environment Act 1986 at Rule 15.

As per F.I.R petitioner's Poklen machine was found in the mining of the sand the same was seized.

Submission of the learned counsel for the petitioner is that he has handed-over the same to the contractor and as such he has no knowledge of the mining of sand. He has no criminal antecedent.

On the other hand, learned A.P.P. has opposed the bail prayer of the petitioner.



Having heard both sides, in view of the allegation as discussed above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned Court below and make prayer for regular bail which shall be considered on the basis of material available on record without being prejudiced by order of this court possible on the same day.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

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