

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79252 of 2019

Arising Out of PS. Case No.-299 Year-2018 Thana- BARHIYA District- Lakhisarai

Kalu Mahto Son of Janak Mahto Resident of Village - Mirzapur, P.S.- Tajpur,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379, 120(B), 420, 467, 468 and 471 of the Indian Penal Code and Sections 4/40 of the Minor Minerals Concession Rule, 1972 and Section 03/08 of Bihar Illegal Mining, Transportation and Deposition Rules-2003 and Section 15 of Environment (Protection) Act in connection with Barahiya P.S.Case No.299 of 2018 pending in the Court of learned CJM, Lakhisarai.

Allegation is that the vehicle which was carrying unauthorized stone chips (forest material) was seized by the police and the petitioner was driver of that vehicle. Petitioner has got criminal antecedent of identical nature.



Submission is that the owner of the vehicle has been allowed anticipatory bail by a coordinate Bench of this Court vide Annexure-3.

The grant of anticipatory bail to the owner of the vehicle who was not present at the time of occurrence and criminal antecedent of the petitioner makes the case of the petitioner distinguishable; I am inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail is rejected.

(Birendra Kumar, J)

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