

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9247 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- BARUN District- Aurangabad

RAHUL KUMAR, Son of Sri Nageena Singh, Resident of Sidhauili, Police Station - Dehri on Sone, District - Rohtas, Pin Code - 821305, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Gupta

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 379, 411 and 34 of the Indian Penal Code, 1860, Sections 11 and 56 of the Bihar Minor Mineral Concession Rules, 1972 and Section 15 of Environment Protection Act, 1986.

Prosecution case in short is that on 15.11.2019 the informant Mukesh Kumar, Mining Development Officer, Aurangabad in connection with illegal mining and transportation reached Anikat sand ghat along with other police force. On seeing the police force, the persons engaged in the illegal mining of sand fled away leaving their tractors. Tractors bearing Engine No. 3100FL83C712749F3 and Chasis No. AZJSG720924SM and another Chasis no. JFNB00883 were seized from the said sand ghat and seizure list prepared thereafter. Subsequently, he reached



Gatholi sand ghat from where two tractors being Engine No. E3447378, Chasis No. 107533979230G and another Engine No. 3100FLU93B824S17F18 and Chasis No. MYAS582699453 were also seized and seizure list prepared thereafter.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and the search and seizure list was prepared in contravention of the provision of Section 100 of the Code of Criminal Procedure, 1973.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Barun P.S. Case No. 280 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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