

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55089 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- BAKHTIYARPUR District- Patna

RAJ KISHORE KUMAR Son of Shyam Ray Resident of Village -
Bakhtiyarpur, P.S. Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bakhtiyarpur P.S. Case no. 120 of 2020 instituted for the offence under Section 414 of the Indian Penal Code and Sections 4 and 40 of the Bihar Minor Mineral Concession Rule and Section 3 and 8 of Bihar Minerals (Prevention of illegal mining Transportation and Storage Rule), 2003.

Prosecution case relates to transportation of illegal excavated sand by the tractor of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He was not named



in the FIR. Tractor in question was being driven by the co-accused (driver) without giving prior information about the transportation.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bakhtiyarpur P.S. Case no. 120 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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