

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63872 of 2021**

Arising Out of PS. Case No.-92 Year-2021 Thana- SANHAULA District- Bhagalpur

CHANDRA BHUSHAN JAISWAL Son of Late Paras Prasad Resident of
Village - Chandanbara Dhaka, Ward No.- 4, P.S.- Chainpur, District - East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mining Inspector, Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar
For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-05-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 379, 411 of the Indian Penal Code and Section 56(1) & 56(2) of Bihar Minor Mineral Illegal Storage and Transportation Rule, 2019.

As per the prosecution case, on 06.08.2021 at about 11:00 AM, during search, one overloaded truck, bearing registration no. BR-06GE/2084 was caught, which was without valid challan, and thereby caused revenue loss of Rs. 3,06,250/- (Three lacs six thousand two hundred fifty only). The petitioner is owner of the said truck.

It is submitted on behalf of petitioner that petitioner claims clean antecedent and being owner of the said truck, he



undertakes to return the aforesaid amount in three equal installments within a period of six months.

In view of undertaking given by the petitioner that he is ready to return the money i.e. **Rs. 3,06,250/-** (Three lacs six thousand two hundred fifty only) within six months in three equal installments, let the petitioner, above named, be granted **provisional** anticipatory bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate – XI, Bhagalpur in connection with Sanhulla P.S. Case No. 92 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioner fulfills the aforesaid condition, the provisional anticipatory bail, granted to the petitioner, shall be confirmed by the learned court below and if he fails to fulfill the aforesaid condition, the learned court below shall cancel the bail-bond of the petitioner.

(Prabhat Kumar Singh, J)

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