

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54589 of 2015

Arising Out of PS.Case No. -416 Year- 2015 Thana -WAJIRGANJ District- GAYA

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1. Arvind Kumar son of Devki Nandan Prasad Resident of Mohalla Narayan Nagar, Marpur, P.S. Muffasil, District Gaya, Bihar.
 2. Ravi Ranjan Prakash Son of Shri Satyendra Kumar Resident of Village Shabdo, P.S. Fatelpur, District Gaya, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Mr. Madhurilata (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-12-2015

Petitioners are apprehending their arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code, Rules 40/4 of The Bihar Minor Mineral Concession Rules, 1972, Rules 6 and 8 of Bihar Minerals(Prevention of Illegal Mining, Transportation and Storage) Rules, 2003 and Sections 4, 21 of The Mines & Mineral(Development & Regulation) Act, 1957.

The prosecution case is that Assistant Director of Mines, Gaya intercepted a tractor on 01.10.2015 at Gaya Nawada Road near village Aru loaded with stones and metal. It is alleged that minerals were being transported without any transport permit.

It is submitted by learned counsel for the petitioners that petitioner No. 1 is owner of stone works

crusher situated at village-Punawan, holding a valid license which is valid till 2016. The crusher was closed on the orders of the government, hence petitioner No. 1 was getting the materials lying at the crusher site transported by tractor to his house for disposal. Petitioner No. 2 is the tractor driver and he was carrying the material under the valid license.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Let learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Wazirganj P.S. Case No. 416 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Gaya.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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