

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4352 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -SANJHAULI District- SASARAM (ROHTAS)

- =====
1. Rajesh Singh, son of late Ramadhar Yadav
 2. Mahendra Prasad @ Mahendra Prasad Sahay

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code, section 4 (1A) 21(1) of the Mines and Minerals (Development and Regulation) Act and Rule 40(1) of the Bihar Miner and Minerals Concession Rules.

Three trucks were intercepted carrying stone-chips without having valid permit when drivers were apprehended.

It is submitted by learned counsel for the petitioners that the petitioners being simply owner of the trucks, in question, were not aware about the stones being carried by the drivers. The trucks, in question, were used for the purpose of public carrier. The drivers of the truck, in question, have been granted regular bail

vide Criminal Miscellaneous No. 44256/2015 by a co-ordinate Bench of this Court. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the petitioners were not present at the time when seizure was made and they are simply owner of the trucks, in question, used as public carrier, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Bikramganj, Rohtas at Sasaram in connection with Sanjhauli P.S. Case No.70/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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