

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52560 of 2015

Arising out of PS.Case No. -283 Year- 2015 Thana -KHIJARSARAI District- GAYA

1. Binod Yadav @ Nagina Son of Late Kapil Yadav Resident of Village - Baidya Bigha, P.S. - Khizarsarai, District - Gaya.
2. Bijendra Yadav @ Chunnu Kumar Son of Chandrika Yadav Resident of Village - Nandan Bigha, P.S. - Hulasganj, District - Jehanabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Sinha, Advocate.
For the Opposite Party : Mr. Dilip Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Khizarsarai P.S. Case No. 283 of 2015 for the offences instituted under Sections 379, 406, 420/34 of the IPC, Section 8 of Bihar Illegal Extraction Act, 2003, Rules 8, 4, 40 of Bihar Minor Mineral Concession Rules, 1972 and Rules 4, 21 of Mines and Minerals(Development & Regulation) Act, 1957.

The prosecution story, in brief, is that these petitioners being the drivers of the tractors coupled with trolley were allegedly found to be carrying sands loaded therein without having any authority to do so.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. The petitioners are the drivers of the tractor in question. The other co-accused has been granted anticipatory bail by this Court vide Cr. Misc. No. 55737 of 2015.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Khizarsarai P.S. Case No. 283/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-IIId, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)