

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38866 of 2016

Arising Out of PS.Case No. -216 Year- 2016 Thana -BARBIGHA District- SEKHPURA

- =====
1. Manish Singh, Son of- Nago Singh, Resident of Village- Bajitpur, P.S.- Barh, District- Patna.
 2. Munardev Ray, Son of- Late Anirudh Ray, Resident of Village- Shahpur, P.S.- Mansudanpur, District- Begusarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Barbigha P.S. Case no. 216 of 2016, registered under Section 379 of the Indian Penal Code and Section 40 of Bihar Minor Mineral Concession Rule, 1972.

The accusation is that on 09.06.2016 at about 10.00 A.M. in village Khalil-Malil chak behind the Tata Bricks Industries, JCB Machine, Tractor bearing Reg. No. BR-21C-7651 were found engaged in excavating and loading the sand in violation of the Bihar Minor Mineral Concession Rule, 1972 and on seeing the informant Minor Development Officer, Sekhpura all the accused persons fled away from there.

Learned counsel for the petitioner submits that petitioners

are owner and driver of the said tractor and the aforesaid tractor was engaged by the Tata Bricks Industries as such petitioner has no hand or intention to commit the offence.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-II, Sheikhpura in connection with Barbigha P.S. Case No. 216 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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