

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16781 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MAGADH UNIVERSITY District- GAYA

1. Rajesh Paswan, son of late Kamal Paswan
2. Rajesh Yadav, son of late Budhan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code, 4/20 The Mines & Minerals (Development & Regulation) Act, 1957, Rule 4/40 the Bihar Minor Mineral Concession Rules, 1972, and Rule 5(a)(c), 8(b) of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

Prosecution case is that the informant being Assistant Director, Mines and Geology Department, Gaya, written a letter to the M.U.P.S. for prevention of illegal mine when four tractors loaded with sand were intercepted, leading to registration of First Information Report. Though, the petitioners were not named in the

First Information Report. The name of the petitioners subsequently sprang up during investigation. Out of four trucks, the petitioners are owner of the three trucks.

It is submitted by learned counsel for the petitioners that admittedly the petitioners were not present at the place of seizure. The petitioners are simply owner of the public carrier. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 9th ACJM, Gaya, in connection with Magad University P.S. Case No.17/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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