

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11376 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -BARUN District- AURANGABAD

1. Santosh Yadav, S/o- Ram Surat Yadav, Resident of Village- Alinagar, Ward No. 13, P.S. Alinagar, District- Chandauli, U.P.

2. Santosh Kumar Yadav, S/o Ram Harsh, Resident of Village- Nasirpur Pattan, P.S.- Alampur, District- Chandauli, U.P. Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 21-03-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Barun P.S. Case No. 06 of 2017 registered for the offences punishable under Sections 379, 411, 420 and 120B of the Indian Penal Code read with Sections 3, 4 and 5 of Bihar Illegal Mining Act, seek the privilege of pre-arrest bail.

The petitioners are the owners of trucks, which were caught and seized when they were carrying more sand than the transport challan. The drivers were arrested and during investigation the names of the petitioners transpired.

Submission is of false implication and that the petitioners have not directed the drivers to carry more sand than the transport challan. It was the fault of the drivers who have loaded more sand



than the challan. The drivers have already been allowed regular bail and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with G.R. No. 65 of 2017 arising out of Barun P.S. Case No. 06 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Vats/-

U		T	
---	--	---	--

