

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47857 of 2017

Arising Out of PS.Case No. -185 Year- 2017 Thana -MADANPURA District- AURANGABAD

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1. Kumud Ranjan Chintu, Son of Siya Ram Yadav, Resident of Village- Ghora Dehari, P.S.- Madanpur District- Aurangabad.
 2. Kamlesh Ram, Son of Bilash Ram, Resident of Village- Dadhpa, P.S.- Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 17-10-2017

Heard learned counsel for the petitioners

and the learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 379/411 of the Indian Penal Code and Section 40 of the Bihar Mines Mineral Concession Rules.

The prosecution case is that on 10.08.2017 the informant being the S.I. of Police received information that one Upendra Singh had stored sand illegally and said sand was



being loaded on trucks and tractors for its transportation. When the informant reached Ajan canal he found that the sand was being loaded on two trucks and one tractor. Having seen the informant, the drivers and labourers started fleeing. Thereafter, the trucks and tractor were seized. Petitioner no. 1 is the owner of the tractor having Registration No. BR 26P 3213 whereas petitioner no. 2 is the driver of the tractor and the sand was being purchased from Upendra Singh for repairing the old house of petitioner no. 1. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Learned APP submits that the thrust of accusation is against Upendra Singh.

Considering the nature of accusation, thrust of accusation is against Upendra Singh coupled with the statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 185 of 2017, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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