

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22683 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -SIRDALA District- NAWADA

- =====
1. Surendra Kumar, son of Rameshwar Prasad Resident of village - Karigiddhi, P.S. - Sirdala, District - Nawada.
 2. Rameshwar Prasad, son of Bhattu Prasad, Resident of village - Karigiddhi, P.S. - Sirdala, District - Nawada.
 3. Pappu Prasad Yadav, son of Naro Yadav Resident of 12 Gobinda Chatick Road, Kolkata, West Bengal.
 4. Naresh Prasad Yadav, son of Parmeshwar Prasad Resident of village - Karigiddhi, P.S. - Sirdala, District - Nawada.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Deepak Kumar, advocate

For the Opposite Party : Mr. Smt. Asha Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Sirdala P.S. Case No. 21 of 2017, registered for the offences punishable under Sections 379 of the Indian Penal Code and Section 40 of the Bihar Minor Minerals concessions Rules, 1972.

Allegedly, without challans of transporting sand, two tractors were caught loaded with sand and the drivers did not produce any challans.

Submission is of false implication and that sands were loaded after taking due challans vide Annexures -2 and 2/1.



The petitioner no.1 and 3 are the drivers and petitioner nos. 2 and 4 are the owners of the said two tractors, without any fault tractors were caught and kept for so many days at police station. The tractors were caught on 17.01.2017 but F.I.R. has been lodged on 03.02.2017 in utter violation of the provision of law and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. is not in a position to explain the delay.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -V, Nawada, in connection with Sirdala P.S. Case No. 21 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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