

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51100 of 2017

Arising Out of PS.Case No. -148 Year- 2017 Thana -SILAW District- NALANDA
(BIHARSHARIFF)

- =====
1. Binod Chaudhary, son of Dhaneswar Choudhary,
 2. Sanjeet Paswan @ Sanjeet, son of Ramashray Paswan, both resident of Pokharpur, P.S. Pawapuri, District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 30-10-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Silao P.S. Case no. 148 of 2017, registered under Section 379 of the Indian Penal Code and Sections 4, 5, 6 and 7 of the Bihar Minerals (Prevention of Illegal Mining Transportation & Storage) Rule and Section 4/40 of Mineral Concession Rule.

The accusation is of carrying of illegal sand loading on Sonalika Tractor and Mahindra Tractor. On seeing the informant driver of Sonalika tractor succeeded to flee away, but driver of Mahindra tractor has been apprehended.

Learned counsel for the petitioners submits that petitioners are owner and driver of alleged Sonalika tractor. Further submission is that, in fact, petitioner No.2 being the driver of Sonalika



tractor was carrying the sand loading on his tractor on purchasing the same, but with ulterior motive, the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent.

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 A.C.J.M-I, Nalanda at Bihar Sharif in connection with Silao P.S. Case No. 148 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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