

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60046 of 2017

Arising Out of PS. Case No.-173 Year-2017 Thana- BARUN District- Aurangabad

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1. Suchit Kumar Singh, S/o- Ram Pati Singh, R/o- Village- Kahirhan, P.S.- Dehri On Sone, District- Rohtas.
 2. Shiv Jee Kumar @ Siwjeet Kumar S/o- Dashri Yadav, R/o- Village- Udwant Nagar Patsari Toli, P.S.- udwwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. ANANT KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
Special P.P., Mines.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379, 420 and 411/34 of the IPC and Rules 3, 4 and 5 of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules.

The prosecution case is that on 17.10.2017, the informant Md. Noman Ahmad being the Circle Officer along with the police force was conducting an anti sand transportation drive, when he saw five tractors without any number plate being loaded with the sand, upon which all the tractors were seized.



The petitioners are the driver and owner of one of the seized tractors.

It is submitted by learned counsel for the petitioners that the sand was being transported on the basis of valid challan, which has been brought on record as Annexure-2. A statement has been made in paragraph no.3 of the petition that the petitioner is having no any criminal antecedent.

It is submitted by learned Special P.P., Mines that no challan was produced when the seizure was made.

Considering the nature of accusation and the fact that the sand was being transported on the basis of valid challan, let the above named petitioners be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 173 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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