

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47163 of 2017

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

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1. Sheonandan Yadav, Son of Baleshwar Yadav, R/o Village- Shiva Yigha, P.S.- Madanpur, District- Aurangabad.
 2. Bishwanath Kumar Son of Ram Bochhan Yadav, R/o Village- Gopalpur, P.S.- Raffiganj, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-10-2017 Heard.

2. Petitioners apprehend arrest in connection with Madanpur P.S.Case No.185 of 2017 registered for an offence under Sections 379 and 411 of the IPC.

3. It has been submitted that the case has been registered on the basis of self statement of SHO of Madanpur P.S. It has been alleged that this petitioner and other co-accused were found mining the sand stealthily. The police seized two trucks and a tractor loaded with sand.

4. It appears that this petitioner is owner and driver of truck bearing registration no.BR-26H-6293 over which sand measuring 25 Tagari and few spade near the sand was found.



Petitioners were neither apprehended nor there is any criminal antecedent against them. The allegation of loading sand is against other co-accused. It further appears that the seizure list witnesses are police persons who were members of the raiding party.

5. Considering the nature of allegation facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender within a period of six 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 CJM, Aurangabad in connection with Madanpur P.S.Case No.185 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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