

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35899 of 2018

Arising Out of PS.Case No. -69 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Raghunandan Yadav, son of Sri Nanhak Yadav, resident of Village-Damdi Bigha, P.S.- Madanpur, District- Aurangabad (Bihar).
2. Samim Ansari @ Shamim Ansari son of Mahmud Ansari, resident of Village- Barun, P.S.- Barun, District- Aurangabad (Bihar).
.... Petitioners

Versus

The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Manoj Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Barun P.S. Case No. 69 of 2018 registered under Sections 379, 420 read with 34 of the Indian Penal Code, section 4, 40 of the Bihar Minor Minerals Concession Rules, 1972 and Section 15 of the Environment Protection Act, 1986.

It is submitted by the learned counsel for the petitioners that petitioner no.1 is the registered owner of the tractor and trailer and has all the relevant documents including registration certificates, and likewise the petitioner no.2 is the qualified driver having valid driving license. In the first



information report, nothing has been stated to show that the petitioners were seen loading and taking away sand from the Kochar Balu Ghat. It is further contended that several other co-accused having more or less identical allegations have already been granted pre-arrest bail vide orders passed in Cr. Misc. Nos. 24550, 27344, 26765, 27309, 26155, 27176, 26297 and 26597 all of 2018 by different Benches of this Court.

Learned counsel for the State does not dispute the fact that other similarly circumstanced co-accused persons have already been granted bail by different Benches of this Court.

Considering the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, Bihar in connection with Barun P.S. Case No. 69 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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