

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45991 of 2018

Arising Out of PS.Case No. -278 Year- 2018 Thana -BANKA District- BANKA

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1. Krishna Yadav, Son of Kammo Yadav,
2. Subodh Das @ Subodh Yadav, Son of Aghan Das, Both residents of
Village- Amba, Police Station- Banka, District- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are in custody since 11.05.2018 in connection with Banka P.S. Case No. 278 of 2018 for the offence registered under Sections 379 and 411 of the Indian Penal Code and Sections 4, 40 B.M.M.C. Rules 1972 and under Sections 6 (4) and 8 (d) of B.M. (P.I.T.S.) 2003.

Learned counsel for the petitioners submits that none of the trucks, which were found to have been loaded with sand, have been recovered from the possession of the present petitioners and it is only on suspicion that the petitioners were loading the sand on the trucks, they have been implicated in connection with the present case. It is further submitted that the petitioners have been in custody since almost 3 months and there is no tangible material to indicate that the petitioners were engaged in pilferage sand



without any valid license.

Considering the aforesaid facts and circumstances of the case and that there is no other case of similar nature against the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 278 of 2018.

(Anjana Mishra, J)

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