

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46285 of 2018

Arising Out of PS.Case No. -135 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Mukesh Kumar Singh S/o Janeshwar Singh
2. Vikash Kumar S/o Jitendra Singh Both R/o Village Dighi, P.S.Barun,
District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Barun P.S. Case No. 135 of 2018, registered for offences punishable under Sections 379, 411, 420/34 of the Indian Penal Code, 4/40 B.M.M.C.R. Rules and 15 of Environment Protection Act.

As per F.I.R., allegation against the petitioners is that a raid was conducted under the leadership of informant against the illegal mining of sand and found that four tractors engaged in illegal mining and trafficking of sand including the tractors of petitioners.

Submission of the learned counsel for the petitioners is that the petitioners are innocent and petitioner No. 1 is owner



and petitioner No. 2 is the driver of the tractor and sand has been purchased by an authorized lessee/ contractor of sand Ghat. It is further submitted that the petitioners have clean antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named on surrender or arrest within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No. 135 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(Vinod Kumar Sinha, J)

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