

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49735 of 2018

- =====
1. Krishna Mohan Singh, S/o Late Sukhdeo Singh, resident of Village- Digghi, P.S.- Barun, District- Aurangabad.
 2. Binda Singh, S/o Shivdayal Singh, resident of Karamdih Khaira, P.S.- Barun, District- Aurangabad.
 3. Shyamjee Singh, S/o Ganesh Singh, resident of Village- Digghi, P.S.- Barun, District- Aurangabad.
 4. Kalindra Paswan, S/o Ram Lagan Paswan, resident of Village- Digghi, P.S. Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Barun P.S.Cae No.135 of 2018 , registered for offences punishable under Sections 379, 411, 420, 34 of the Indian Penal Code.

Allegation against the petitioners is that they are owners and drivers of the tractors, which have been intercepted by the police for illegal trafficking of the sands.

Submission of the learned counsel for the petitioners is that they were not carrying the sand from the *Ghat* rather they were taking it from the place of storage and moreover no case is made



out under Section 379 of the IPC.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, 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 the learned CJM, Aurangabad in connection with Barun P.S.Case no.135 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

