

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.334 of 2018

Arising Out of PS.Case No. -100 Year- 2017 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

- =====
1. Sudhir Yadav son of Late Nande Yadav resident of Village Kajichak (Singhaul), P.S. - Sarmera, District - Nalanda.
 2. Anil Yadav son of Shailendra Yadav resident of village - Bahsima, P.S. - Barbiga, District - Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 15-01-2018 Heard both sides.

The petitioners apprehend their arrest in Sarmera P.S. Case No.100 of 2017 registered under Section 379 of the Indian Penal Code and Section 4/40 of the Bihar Minor Mineral Concession Rule, 1972 and Section 8(d) of the Bihar Minerals(Prevention of Illegal Mining Transportation and Storage) Rules, 2003.

The police apprehended two tractors loaded with sand and arrested the driver of both tractors. The tractor drivers disclosed that they were carrying sand on the order of the owner of the tractors.



The learned counsel for the petitioners submits that the petitioners are the owner of the tractors. It is further submitted that driver was carrying the sand on hire. Petitioners have no manner of concern with the sand.

Considering the facts aforesaid and the fact that the petitioners are owner of the tractors, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged 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 learned A.C.J.M. IV, Nalanda at Bihar Sharif in connection with Sarmera P.S. Case No.100 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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

