

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74030 of 2018

Arising Out of PS. Case No.-205 Year-2018 Thana- RAJAON District- Banka

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1. Girish Yadav S/o Yadu Yadav
 2. Nilesh Yadav S/o Pankaj Yadav
 3. Brahmdeo Yadav@ Brahamdeo Yadav, S/o Late Narsing Yadav
All Resident of Village Sikanpur, P.S. Rajoun, Distt. Banka.

... .. Petitioners

Versus

1. The State of Bihar.
2. The Assistant Director, Mines and Geology Department, Banka.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-12-2018 Learned counsel for the petitioners submits that petitioner no.1, Girish Yadav has already been arrested and accordingly, he may be permitted to withdraw the anticipatory bail petition of Girish Yadav.

Prayer is allowed.

The anticipatory bail application on behalf of petitioner no.1, Girish Yadav is dismissed as withdrawn.

Heard both sides.

Petitioners apprehend their arrest in Rajoun P.S. Case No.205 of 2018, registered under Sections 431 and 379 of the Indian Penal Code, under Sections 4/40 of the BMMC Rule, 1972 as well as under Sections 6(4) and 8(d) of Bihar Minerals



(Prevention of Illegal Mining, Transportation & Storage) Rule,
2003.

The informant alleged that the petitioners and others
have illegally stored sand.

Learned counsel for the petitioners submits that there
is nothing on record to show that the petitioners have stored any
sand for the purpose of illegal selling. The informant did not
disclose the place where the sand was stored.

Considering the facts and nature of allegation made
against the petitioners, let petitioners no.2 and 3, above named,
in the event of their arrest or surrender before the court below
within a period of four weeks from the date of receipt of this
order 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 the learned CJM, Banka in connection with
Rajoun P.S. Case No.205 of 2018, subject to the conditions laid
down under Section 438(2) Cr. P.C.

(Prabhat Kumar Jha, J)

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