

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9577 of 2018

Arising Out of PS.Case No. -1950 Year- 2017 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Sanjay Kumar Singh &
2. Saroj Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections-379, 411 of the Indian Penal Code and Section-40(1) of the Mining Act.

The prosecution case is that the SDPO, Sasaram being informant of the present case conducted a raid to check illegal mining of sand and intercepted four tractors, loaded with sand. Two persons were arrested, while they were fleeing away from the scene who disclosed their names as Girish Mishra and Vijay Kumar Choudhary. The petitioner No. 1 is the owner of two trucks bearing registration Nos. BR-24GA/0711 and BR-24GA/9116.

It is submitted by learned counsel for the petitioners



that they were not carrying sand rather they were carrying sand mixed soil for agriculture purpose. The petitioners have no criminal antecedent. However, it is submitted on behalf of Special P.P. (Mines) that the petitioners were carrying sand without any valid permit and hence, they were causing loss to the State Exchequer.

Considering the nature of accusation and statement made in paragraph-3 that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 1950 of 2017 , subject to the conditions as laid down under Section-438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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