

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28880 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- DEO District- Aurangabad

Abhay Yadav S/o Ram Swaroop Yadav Resident of Hasauli Tola, Raval
Bigha, P.S. Aurangabad(T), District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Deo P.S. Case no. 22 of 2018, registered under Sections
379 and 411 of the Indian Penal Code and Section 40 Bihar
Minor Mineral Concession Rule, 1972.

The accusation is of loading of illegally extracted
sand on the tractor of the petitioner.

Learned counsel for the petitioner submits that, in
fact, the loaded material on the tractor of the petitioner was not
sand rather the same was soil for filling of the house, but
tractor of the petitioner was seized, illegally, by the informant
being the officials of mining department. Further submission is
that petitioner is the owner of the seized tractor and he has no



criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 22 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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