

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39784 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -MALI District- AURANGABAD

=====

Satendra Singh @ Satendra Yadav S/o late Snehi Singh @ Sinahi Singh R/o
Village Shobhakhap, P.S. Narari Kala Khurd, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379/411/34 of the Indian Penal Code, 4/40 of Bihar Minor Mineral Concession Rules, 1972 and 15 of The Environment (Protection) Act, 1986.

The prosecution case as per the written report of Mines Development Officer, Aurangabad dated 10.05.2018 submitted to the Station House Officer, Mali P.S., is to the effect that on 10.05.2018 raid was laid when five tractors loaded with



sand were intercepted and it was found that the sand was being carried without any valid challan. One of the tractors bearing Registration No. BR26GA-2203 belonged to the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is the owner of the tractor in question and admittedly the driver was plying the tractor. The petitioner was not present on the spot. Hence, no offence is made out against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that due to the illegal transportation of sand heavy loss is being caused to the State exchequer.

Considering the nature of accusation and the fact that the petitioner was not on the tractor when it was seized and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in



connection with Mali P.S. Case No. 22 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

