

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33903 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -BARUN
District- AURANGABAD

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1. Pintu Kumar Singh @ Pintu Kumar, S/o Shihasan Singh @ Ram Shinhasan Yadav, resident of Village- Dahour, P.S.- Pahleja, District- Rohtas.
2. Arun Kumar @ Arun Kumar Singh, S/o Pachan Yadav, resident of Village- Dahour, P.S.- Pahleja, District- Rohtas.
3. Munna Singh Yadav @ Munna Singh, S/o Jagannarain Singh, resident of Village- Dahour, P.S.- Pahleja, District- Rohtas.
4. Sujeet Kumar, S/o Ram Autar Yadav, resident of Village- Bahera, P.S.- Tilauthu, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mr. Mithilesh Kr. Singh, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-07-2018 The petitioners seek bail in anticipation of their arrest in connection with Barun P.S. Case No. 85 of 2018, dated 24.04.2018, instituted for the offences punishable under Sections 379, 411, 420 and 34 of the Indian Penal



Code, Section 4 and 40 of the Bihar Minor Mineral Concession Rules and Section 15 of the Environment Protection Act.

About 31 tractors which were loaded with sand in an unauthorized manner and 12 motorcycles were seized.

Mr. Krishna Prasad Singh, learned Senior Advocate appearing for the petitioners has submitted that petitioner Nos. 1 and 4 are the driver and the owner of one of the tractors, bearing Registration No. BR24GA/3268, whereas petitioner Nos. 2 and 3 are the driver and the owner of another tractor, bearing Registration No. JH10AD/2778 respectively.

The tractors of the petitioners were not loaded with any unauthorized sand; rather, the sand was loaded on valid *Challan*. Since so many vehicles were seized by the informant, no care was taken to examine whether the sand was loaded with valid *Challan* or not.

The petitioners do not have any criminal antecedents.

Regard being had to the fact that in the past there have been spate of litigation with respect to extraction/transportation of the sand, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, are directed to be released on bail on their furnishing



bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 85 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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