

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49101 of 2018

Arising Out of PS.Case No. -121 Year- 2018 Thana -BARUN District- AURANGABAD

- =====
1. Arjun Yadav Son of Mahaveer Yadav Resident of Village - Chatra, P.S. Fesar, District - Aurangabad.
 2. Pappu Kumar Son of Yugal Singh Resident of Village - Chandauli, P.S. - Barun, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Barun P.S.Case No.121 of 2018 , registered for offences punishable under Sections 379, 411, 420/34 of the Indian Penal Code and Section 4/40 of B.M.M.C. Rules and Environmental Protection Act.

Allegation against the petitioners is of engaging in illegal trafficking of sand.

Submission of the learned counsel for the petitioners is that he has valid licence, which will appear from Annexure -4 and no case is made out under Section 379 of the IPC.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S.Case no.121 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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