

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69135 of 2018

Arising Out of PS. Case No.-205 Year-2018 Thana- RAJAON District- Banka

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1. Dewan Yadav, son of Rijhi Yadav.
 2. Jaikant Yadav, son of Dewan Yadav.
 3. Binod Yadav, son of Bishan Yadav, All are resident of Village-Nayadih, P.S. Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Rajoun P.S. Case No. 205 of 2018 dated 17.05.2018 instituted for the offences under Sections 431, 379 of the Indian Penal Code and Sections 4/40 of the Bihar Minor Mineral Concession Rules, 1972 and Section 6(d) of the Bihar Minerals (Prevention of Illegal Mining Transportation & Storage) Rules, 2003.

The petitioners and others are alleged to have pilfered sand kept on the bundh near the river and thereafter stored at different places for the purposes of selling it in an unauthorized manner in the market.

The learned counsel for the petitioners has



submitted that petitioners have been named by the informant only on the assumption or perhaps some information having been provided to him but the identity of the source of such information has not been disclosed in the F.I.R. There is no eye witness to the occurrence and the petitioners do not have any criminal antecedents.

Regard being had to the aforesaid facts, 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 of Rs. 10,000/-(ten thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 205 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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