

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37184 of 2018

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

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1. Binod Singh, S/o Ramjivan Singh,
2. Birendra Singh @ Pramod S/o Baijnath Singh,
Both R/o Vill.- Barka More, P.S.- Sasaram, District- Rohtas at
Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Barun P.S. Case No. 85 of 2018 registered for offences under sections 379, 411, 420/34 of the Indian Penal Code, 4/40 of the Bihar Mineral Rules and 15 of the Environment Protection Act.

In the present case, an allegation has been made against the petitioners of illegally extracting the sand from the riverbed without having a valid license.

Learned counsel for the petitioners submits that the petitioners were extracting the sand on the basis of proper challan which is attached with this application.

Looking to the entire facts and circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (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. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

It is made clear that the petitioners, above named, will be granted anticipatory bail subject to a condition that the Challan, attached with this application, will be verified by the court below and if it is found that the Challan is valid and genuine, the petitioners will be granted anticipatory bail.

(Shivaji Pandey, J)

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