

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43875 of 2018

Arising Out of PS.Case No. -118 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Priyanka Kumari @ Priyanka Devi W/o Alok Kumar resident of Village - Dehri, P.S. - Dehri, District - Rohtas.
 2. Dilip Kumar S/o Yodha Yadav resident of Village - Maheshpur, P.S. - Paliganj, District - Patna.
 3. Md. Kalam Khan S/o Md. Haroon Khan resident of Village - Neel Kothi, P.S. - Dehri, District Rohtas.
 4. Ranvijay Kumar S/o Suresh Singh resident of Village - Kanchanpur, P.S. - Obra, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh
For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2018 The petitioners are apprehending their arrest in connection with Barun P.S. Case No. 118 of 2018, registered for offences punishable under Sections 379, 411 and 420/34 of the Indian Penal Code and Section 4 and 40 of Bihar Minor Mineral Concession Rule and Section 15 of Environment Protection Act.

Allegation against the petitioners is of illegally mining the sand.

It has been submitted on behalf of the petitioners that the tractor were intercepted from the road side and it has falsely been alleged that they were caught while mining the sand. Petitioner no. 1 is the owner and petitioner no. 2 is her driver, whereas,



petitioner nos. 3 and 4 are owner cum driver of the said tractor and have falsely been made accused in this case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five 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. 118 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear



before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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