

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21278 of 2018

Arising Out of PS. Case No.-52 Year-2018 Thana- BARUN District- Aurangabad

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1. Abhishek Kumar Singh S/o Surendra Singh, R/o Village Danialpur Kurai, P.S. Mohania, District-Kaimur at Bhabhua
 2. Pradeep Kumar, S/o Kamla Singh, R/o Village Dhan Sarai, P.S. Durgawati, District-Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Sri S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Barun P.S. case no. 52 of 2018 instituted for the offence under Section(s) 379, 411, 420/34 of the Indian Penal Code and Section 4/40 BMMCR & 15 Pollution Act.

It is alleged in the written report that while the informant was on patrolling duty to check the illegal mining in the area, he saw three tractors loaded with sand . The petitioners are said to be the owners of those tractors.



Learned counsel for the petitioners has submitted that petitioners have no concern with loading of sand in the tractors. The drivers of the tractors after loading had come to the office at Enikat Ghat for payment of the cost of the sand.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Barun P.S. case no. 52 of 2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM Aurangabad, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of
bail of the petitioners.

(Sanjay Priya, J)

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