

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31086 of 2018

Arising Out of PS. Case No.-226 Year-2018 Thana- SONEPUR District- Saran

1.RAM PARVESH SAHNI SON OF LATE KAPIL SAHNI.
2.VIJAY KUMAR SON OF RAM CHANDRA SAHNI.
BOTH ARE RESIDENT OF VILLAGE-RASULPUR, POLICE STATION-
NAYAGAON, DISTRICT-SARAN.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehends their arrest in connection with **Sonpur P.S Case No. 226 of 2018** registered for the offence punishable under Section 188, 379, 420/34 of the Indian Penal Code, Section 4/40 BMMC Act 1972 and Section 3/8 (a) of Bihar Prohibition Illegal Mining Transportation and Storage Act 2015 Environment of Protection Act 1986.

The petitioner is the Sub-inspector of police, who in his statement has stated that on 23.03.2018 at about 6:00 A.M, he conducted the raid regarding illegal mining. And seized illegal sand loaded on Boat and after seeing them the occupants of the Boat fled away and thereafter they seized the illegal sand loaded



on the said Boat. During investigation, it transpired that the petitioners are the owner and sailor of the Boat.

It has been submitted on behalf of the petitioners that the petitioners are innocent and have been falsely implicated in this case. The petitioner no. 1 is the owner of the seized boat and petitioner no. 2 is the sailor of the boat. It has been further submitted that the petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **A.C.J.M-1st, Saran at Chapra** in connection with **Sonpur P.S Case No. 226 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable



reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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