

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38458 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -MALI District- AURANGABAD

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1. Ganesh Yadav, Son of Ramprit Yadav, Resident of Village – Pochpokhari, Girdha Bigha, P.S. Tandwa, District – Aurangabad.
2. Baliram Yadav, Son of Atwaru Yadav, Resident of Village - Meera Serai, P.S. – Tilauthu, District – Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-06-2018 The petitioners are apprehending their arrest in connection with Mali P.S. Case No. 25 of 2018, registered for offences punishable under Sections 379, 411 and 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, who are owner driver of the tractors, which was allegedly transporting illegal sand.

It has been submitted on behalf of the petitioners that they have falsely been made accused in this case and no sand was recovered from their tractor. Moreover, they have no criminal antecedents and they are ready to abide by any condition imposed on them for grant of anticipatory bail.

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 ACJM –V, Aurangabad, in connection with Mali P.S. Case No. 25 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, 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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