

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48147 of 2018

Arising Out of PS.Case No. -69 Year- 2018 Thana -JAMHORA District- AURANGABAD

- =====
1. Pappu Singh S/o Late Suba Singh resident of Village - Dighi, P.S. - Barun, District - Aurangabad.
 2. Laxuman Singh @ Lakshman Singh S/o Nathuni Singh resident of Village - Tarash, P.S. - Nokha, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Jamhore P.S.Case no.69 of 2018 , registered for offences punishable under Sections 379 & 411 of the Indian Penal Code and Section 4/40 of the Bihar Minor Mineral concession Rule and Section 15 of Environment Protection Act.

Allegation against the petitioners is that their tractor was intercepted loaded with sands.

Submission of the learned counsel for the petitioners is that the tractor was not loaded with sand rather it was loaded with soil. Further submission is that no offence is made out under Section 379 of the IPC.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Jamhore P.S. Case No.69 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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