

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43872 of 2018

Arising Out of PS.Case No. -116 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Anil Kumar
2. Binod Kumar @ Binod Kumar Singh Both S/o Late Siya Ram Singh R/o
Village - Pali, P.S. - Dehri, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary Cum Commissioner
Department of Mines and Geology Government of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mr. Naresh Dikshit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Barun P.S. Case No. 116 of 2018, registered for the offences punishable under Sections 379, 411 and 420/34 of the Indian Penal Code and Section 4/40 of Bihar Mines and Minerals concession Rules, 1972 and Section 15 Prevention of Pollution Act, 1986.

Allegation is that the accused persons including the petitioners were carrying sand loaded on the tractor without proper challan and seeing the police party they fled away.

Submission on behalf of the learned counsel for the petitioners is that having proper challan they could not produce challan at the time when the tractors were intercepted. The petitioners have got no criminal antecedent.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, as stated above, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in Barun P.S. Case No.116 of 2018, subject to conditions as laid down under section 438 (2) of the Code of Criminal Procedure and further conditions are that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and further condition is that he has to co-operate in the investigation of the case and make himself available as and when required by the police, otherwise the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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