

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45176 of 2018

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

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1. Ram Naresh Singh, son of Late Sarju Singh
2. Vijay Kumar Singh, Son of Ram Naresh Singh,
All resident of Village- Patkhani, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Singh, Advocate.

For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Barun P.S.**
Case No. 116 of 2018 instituted for the offence under Sections
379, 411, 420/34 of the Indian Penal Code, Sections 4/40
BMMCR and 15 of Environmental Protection Act.

Counsel for the petitioners submits that petitioner No.
1 is owner and petitioner No. 2 is driver of the tractor. He further
submits that petitioners lifted the sand under valid Challan for
domestic purpose. Photocopy of the Challan has been enclosed as
Annexure-2.

Considering the facts and circumstances of the case,
prayer for anticipatory bail of the petitioners 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. 116 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 learned **Chief Judicial Magistrate, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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.

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(Sanjay Priya, J)

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