

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52321 of 2018

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

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1. Mukhlal Singh, S/o Deo Charan Singh, R/o Vill.- Wajirganj, P.S.- Rohtas, District- Rohtas.
 2. Vinod Kumar Chauhan S/o Ramashish Chauhan, R/o Old Rambai Shankar Nagar, B.H.D. Old RTO Office, P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 379, 411, 420 of the Indian Penal Code 4 and 40 of Bihar Minor Mineral Concession Rules and Section 15 of the Environmental Protection Act.

The prosecution case, in short, is that the tractors of the accused persons including the petitioner no. 1 were intercepted by the police loaded with illegal sand.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioner no. 1 is alleged to be owner of the tractor which was parked with the loaded sand. The petitioner no. 2 is the driver of the said tractor. The petitioners denies the same and state that no sand was loaded on the tractor in question. Other co-accuseds have been granted anticipatory bail vide order dated 24.7.2018, 01.08.2018, and 25.8.2018 passed in Cr. Misc. Nos. 42701 of 2018, 44396 of 2018 and 46592 of 2018.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 116 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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