

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65064 of 2018

Arising Out of PS. Case No.-143 Year-2018 Thana- MUFFASIL District- Aurangabad

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1. Anand Kumar Singh, Son of Raghubansh Singh, Resident of Village-Raipura, Police Station- Muffasil, District- Aurangabad.
 2. Surendra Singh, Son of Late Mukta Singh, Resident of Village-Chiraila Tole Teariya Police Station- Muffasil, District- Aurangabad.
 3. Ashok Kumar, Son of Awadhesh Kumar Singh, Resident of Village- Rudrapura Police Station- Dehri On Sone, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh
For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners and learned
counsel for the Department of Mines.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 379/411 of the Indian Penal Code and Sections 4/40 of Bihar Minor Mineral Concession Rules, 1972.

On information being received that the sand is being transported by illegal mining, whereupon, the informant, being the Sub-Inspector of Police conducted raid on 20.08.2018 and intercepted three tractors loaded with sand and thereafter, seized the tractors.



It is submitted by learned counsel for the petitioners that the petitioners are the owners and drivers of the seized tractors and the sand was being transported on valid challan. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the Department of Mines submits that due to the illegal mining of the sand heavy loss was caused to the State exchequer.

Considering the nature of accusation, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, 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 Aurangabad Muffasil P.S. Case No. 143 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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