

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18010 of 2018

Arising Out of PS.Case No. -32 Year- 2018 Thana -NABINAGAR District- AURANGABAD

- =====
1. Vinod Yadav, S/o Rajnath Yadav, R/o Village- Sawath, P.S.- Durgawati, District- Kaimur.
 2. Dinesh Kumar, S/o Ram Chela Choudhary, R/o Village- Har Ballampur, Darauli, P.S.- Zamonía, District- Ghazipur (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Nabinagar P.S.**

Case No.32 of 2018 instituted for the offence under Section(s) 379, 411, 420 Indian Penal Code, Section 4/40 of Bihar Minor Minerals Concession Rule and Section 8 of Bihar Illegal Mines Act and Transportation and Storage Rule.

It is alleged that the 5(five) trucks loaded with sand were apprehended by the police. The petitioners are said to be drivers of the two trucks.

Counsel for the petitioners submits that petitioners were holding valid papers with respect of sand loaded on the



trucks.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Nabinagar P.S. Case No.32 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 the **Additional Chief Judicial Magistrate- 1st, 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 bonds 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.

(Sanjay Priya, J)

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