

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71811 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- BELHAR District- Banka

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1. Kumod Kumar Singh, son of Vsihnu Deo Singh, resident of village- Beladiha, P.S.- Belhar, District- Banka.
2. Manoj Yadav, son of Suresh Yadav, resident of village- Kerwar, P.S.- Belhar, District- Banka

... .. Petitioners

Versus

1. The State of Bihar
2. Principal Secretary Cum commissioner, Department of Mines & Geology, Government of Bihar, Patna

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Adv.
For the Opposite Party/s : Mr. None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2018 Heard Sri Dharendra Kumar, learned counsel for the two petitioners. None appeared on behalf of the State.

Two petitioners, apprehending their arrest in Belhar P.S. Case No. 46 of 2018 registered for offence under Sections 379/411 of the Indian Penal Code and Sections 4/40 of B.M.M.C. Rules, 1972 and Sections 4/21 of M.M.D.R. Act and Section 15 of P.C. Act, have prayed for grant of bail, in the event of their arrest or surrender.

Learned counsel for the petitioners submits that petitioner no. 1 is owner of the tractor, whereas petitioner no. 2 is driver of the said tractor, which was intercepted by the police on an allegation of illegal transporting of sand. Learned counsel



for the petitioners has drawn my attention to the statement made in paragraph-3 of the petition to show that petitioners are having clean antecedent.

Considering the nature of accusation and clean antecedent of the petitioners, in the event of their arrest or surrender within a period of six weeks from today, let both the petitioners, namely, (i) Kumod Kumar Singh and (ii) Manoj Yadav be enlarged on 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 Additional Chief Judicial Magistrate, III, Banka/ concerned court in connection with Belhar P.S. Case No. 46 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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