

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57741 of 2018**

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Binod Singh, S/o Ramjivan Singh, Resident of Village- Badka More, P.S.-  
Sasaram, District- Rohtas (Bihar)

.... .... Petitioner/s

Versus

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. Anil Prasad Singh, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      20-09-2018                      Heard learned counsel for the petitioner and the  
  
learned counsel appearing on behalf of the State.

The petitioner is in custody since 30.07.2018 in connection with Barun P.S. Case No.85 of 2018 registered for the offence under Sections 379, 411, 420/34 of the Indian Penal Code and Sections 4, 40 of Bihar Minor Mineral Concession Rules, 1972 and Section 15 of Environment Protection Act, 1986.

The petitioner is the owner of the tractor, which was allegedly being used for illegal mining of sand at Kocharh Sand Ghat.

Learned counsel for the petitioner submits that the owners before letting out the vehicles do not necessarily check the licences which are issued to the contractor before permitting



their vehicles to be hired for such purpose. In view of such circumstances, the petitioner's role can be negated in connection with the present case. It is further submitted that that the petitioner has got no criminal history and he was not aware of any illegal trafficking of sand, so the provisions of Sections 379, 411 and 420 of the I.P.C. do not stand substantiated.

In view of the aforementioned facts and circumstances and that the petitioner has no criminal history, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No.85 of 2018.

**(Anjana Mishra, J)**

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