

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44396 of 2018

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

- =====
1. Pintu Kumar, S/o Munna Prasad,
 2. Neeraj Kumar, S/o Brijdeo Prasad, Both R/o Vill.- Sundarganj, P.S.- Risiap, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 01-08-2018

Heard learned counsel for the petitioners and learned

APP for the State.

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

Case No.116 of 2018 instituted for the offence under Section(s)
379, 411, 420/34 Indian Penal Code, Section 4/40 of BMMCR
and Section 15 of the EP Act.

It is alleged that 27 tractors were found engaged in
illegal mining and trafficking of sand.

Counsel for the petitioners submits that they are
Driver and owner of the tractor, which was seized by the police.
They had valid papers with regard to the vehicle and valid
Challans for the sand loaded on tractor. The police has seized the
vehicle in spite of those valid papers. Xerox copy of the papers
with regard to vehicle and sand are enclosed as Anenxure-2



series.

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 **Barun P.S. Case No.116 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 **Chief Judicial Magistrate, Aurnagabad**, 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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