

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54780 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- BARUN District- Aurangabad

-
1. Manoranjan Singh, Son of Mahendra Singh,
 2. Sri Ram Kumar @ Ram Kumar, son of Mahendra Singh, All resident of Village- Dewariya, P.S. Narari Kala Khurd, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate.

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Barun P.S. Case No. 132 of 2018 registered under Sections 379, 411 and 420/34 of the Indian Penal Code, Sections 4/40 BMMCR and Section 15 of the Environment Protection Act.

The accusation is that in course of raid, four tractors including the tractors of petitioner no.1 bearing Engine No. 39.1355/SZFI5467 Chechis No.WXTG 28428133698 and Engine No. 39.1355/SZFO5467/54579 Chechis No. WZTG28428132663, as detailed in the F.I.R., were found carrying the illegal sand and the driver of the aforesaid tractors succeeded to flee away.

Learned counsel for the petitioners submits that petitioner



no.1 is owner and petitioner no. 2 is driver of the tractor and they purchased the sand from sand stockists and thereafter parked the tractors with trailer at line hotel to take meal then at that time informant and others seized the tractor of petitioner no. 1. It is further submitted that it would appear from the F.I.R. that tractor of the petitioner no. 1 was not seized from the river bank, which is restricted area for mining of sand. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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, Aurangabad, in connection with Barun P.S. Case No. 132 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

