

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9915 of 2019

Arising Out of PS. Case No.-243 Year-2018 Thana- BARUN District- Aurangabad

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1. Kunil Chaudhary Son of Devlal Chaudhary Resident of Village - English, Sone Nagar, P.S.- Barun, District- Aurangabad
 2. Akhilesh Kumar S/o Ranjit Chaudhary Resident of Village - English, Sone Nagar, P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar AND ANR Bihar
2. The Principal Secretary cum Commissioner Department of Mines and Geology, Govt. of Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Smt. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 379, 411, 420/34 of the Indian Penal Code and 4/40 of Bihar Mines and Minerals Concession Rules, 1972 and Section 15 of the Prevention of Pollution Act, 1986.

The prosecution case, in brief, is that in course of raid of Balu Ghat, four tractors were found indulged in transporting the sand.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The matter relates to illegal mining of sand. The allegation made in the FIR is denied by the petitioners. The petitioners are the owner and the driver of the tractor, in question.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 243 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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