

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11625 of 2019

Arising Out of PS. Case No.-442 Year-2018 Thana- GRIYAK District- Nalanda

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1. Ruplal Yadav Son of Late Mushari Gope @ Mushari Yadav Resident of Village - Badhaita, PO- Adampur, P.S-Giriyak, Dist.-Nalanda.
 2. Sunil Kumar Yadav Son of Late Moti Yadav Resident of Village - Badhaita, Post – Adampur, P.S. Giriyak, District- Nalanda.
 3. Anil Kumar Son of R. Prasad Resident of Near Raj Technical Works Road No. 5 Sankosai Dimna Road Mango Jamshedpur, Mango, Purvi Singhbhum

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1
For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-04-2019 This is an application for grant of anticipatory bail in connection with Giriyak P.S. Case No. 442 of 2018, disclosing offences under Section 379 of the Indian Penal Code and Sections 4/40 and 3, 4, 5, 6 of the Bihar Mineral Illegal Mining Storage Prevention Act.

Allegation as per F.I.R. is that the petitioners were carrying sand by their tractors without having any license.

Submission of learned counsel for the petitioners is that petitioner nos. 1 & 2 are the owners and petitioner no.3 is driver of the tractor and they have falsely been implicated in this case.



Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case as stated above, let petitioners surrender before the court below within a period of six weeks from the date of receipt of the order and if they produce the challan with respect to carrying business of sand, the same shall be considered by the learned court below and on such, the petitioners will be released by the learned court below to his own satisfaction, otherwise, the learned court below is free to pass any order or orders as he deems fit and proper.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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