

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18482 of 2019

Arising Out of PS. Case No.-848 Year-2018 Thana- BANKA District- Banka

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1. Mukesh Kumar Yadav Son of Guddu Yadav R/o village- Manikchak, P.O.- Banka, P.S.- Banka, District- Banka
 2. Manoj Roy Son of Mahendra Roy R/o village- Gasko Rajwara, P.S.- Fullidumar, District- Banka, Driver of Mini Hawai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-05-2019 This is an application for grant of anticipatory bail in connection with Banka (Barahat) P.S. Case No. 848 of 2018, disclosing offences under Sections 379, 411 of the Indian Penal Code, Section 8/40 of the BMMC Rules, 1972 and Section 15 of the Forest Environment Act, 1986.

Allegation of illicit mining of sand that was loading in a Haiwa and the police intercepted and arrested the petitioners, who are drivers of the Haiwa.

Submission of learned counsel for the petitioners is that fine has already been deposited by the owner of the Haiwa and owners of the Haiwa have already been granted privilege of anticipatory bail by a Coordinate Bench of this Court vide order



dated 27.03.2019 passed in Cr. Misc. No. 17589 of 2019.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 848 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/-

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