

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14993 of 2019

Arising Out of PS. Case No.-225 Year-2018 Thana- BARUN District- Aurangabad

1. Lalan Kumar, aged about 42 years, Gender-Male, Son of Kedar Singh Resident of Village - Ratnour, P.S.- Pauthu, Distt.- Aurangabad.
2. Rajeev Kumar, aged about 27 years, Gender-Male, Son of Kedar Singh Resident of Village - Ratnour, P.S.- Pauthu, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Barun P.S. Case No. 225 of 2018 registered for offences under sections 379, 411, 420/34 of the Indian Penal Code, Rule 4 and 40 of the Bihar Minor Mineral Concession Rules, 1972 and Section 15 of the Environment Protection Act, 1986.

An allegation has been made against the petitioners of illegal mining of sand.

The petitioner no.1 is the owner of the vehicle and the petitioner no.2 is the driver.



Learned counsel for the petitioners submits that the petitioners were actually carrying the soil not sand and the petitioners have wrongly been implicated in the present case.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond 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. 225 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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