

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23564 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- PALASI District- Araria

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1. GULAM ARABI @ MD. GULAM ARABI, Sex: Male, aged about 48 years, Son of Haroon Rashid
 2. Nasir Alam @ MD NASIR ALAM, Sex: Male, aged about 32 years, Son of Israil
- Both are residents of Village- Mohaniya, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-04-2019 Heard both sides.

The petitioners apprehend their arrest in Palasi P.S. Case No.15 of 2019 registered under Section 379 of the Indian Penal Code and under Section 40 of Bihar Miner Minerals Concession Rules and under Section 3/8 of Bihar Minerals Prevention of Illegal Mining Transportation and Storage Act.

The police recovered a J.C.B. on the allegation that driver of the J.C.B. was indulged in illegal mining.

The learned counsel for the petitioners submits that the petitioners are driver and owner of the J.C.B. They were not in fact, mining the sand.

Taking into consideration the facts aforesaid and



nature of allegation made against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Araria in connection with Palasi P.S. Case No.15 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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