

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.80795 of 2018**

Arising Out of PS. Case No.-254 Year-2018 Thana- RAMNAGAR District- West Champaran

1. Anand Rai @ Anandra Rai, Son of Wakil Rai, Resident of Village - Gursen Tola, P.S.- Chanpatia, District - West Champaran.
2. Bali Mahto, Son of Kanhaiya Mahto, Resident of Village - Sirisiya, P.S.- Chanpatiya (Sirisiya, O.P.), District - West Champaran

... .. Petitioners

Versus

1. State Of Bihar
2. The Mining Development Officer, Bettiah, District-West Champaran

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate  
For the Opposite Party/s : Mr. Satyavarat Verma

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      25-01-2019                      Heard learned counsel for the petitioners and  
  
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Ramnagar P.S. Case No.254 of 2018, registered for the offence under Section 379 of the Indian Penal Code, Rules 40(4) (5) (6) (8) of the Bihar Minor Mineral Concession Rules, under Section 21 of the Minor and Mineral (D & R) Act and under Section 15 of the Environment Protection Act.

Allegation has been made that at the instance of the lease-holder the accused persons started lifting the sand from the Ghat.



Learned counsel for the petitioners submits that petitioner no.1 is the owner of the tractor and petitioner no.2 is the driver of the said tractor and they have gone there on the call made by the lease-holder.

The petitioners have no criminal antecedent.

Looking to the entire facts and circumstances of the case, let the above-named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Bagaha, West Champaran, in connection with Ramnagar P.S. Case no. 254 of 2018 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Shivaji Pandey, J)**

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