

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27065 of 2019

Arising Out of PS. Case No.-120 Year-2018 Thana- MAGADH UNIVERSITY District- Gaya

1. Rambali Yadav Son of Late Bhuneshwar Yadav Resident of Village - Goura, P.S.- Magadh University, Distt.- Gaya.
2. Dwarika Yadav @ Dwarik Yadav Son of Sri Ramdeo Yadav Resident of Village - Goura, P.S.- Magadh University, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Magadh University (M.U.) P.S. Case No.120 of 2018 registered under Sections 188, 353 and 379/34 of the Indian Penal Code besides Sections 4/21 M.M. (DR.) Act, 1957, Sections 4/40 B.M.M.C. Act, 1972 and Sections 6(4), 5(a), 5(c) and 8(c) of the Bihar Mineral Prevention of Illegal Mining Storage and Transportation Act, 2003.

The accusation is that in course of patrolling duty to stop the illegal mining of sand, three Mahindra tractors, attached with trailers loaded with illegal extracted sand, were seized by



the police, while the drivers of the same were not found there.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are owners-cum-drivers of the seized tractors and have falsely been implicated in this case. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IX, Gaya, in connection with Magadh University (M.U.) P.S. Case No.120 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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