

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24336 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- HARNAUT District- Nalanda

1. Kunal Kumar @ Kumar Sharma, son of Diwakar Prasad Sharma
2. Diwakar Sharma @ Diwakar Prasad Sharma, son of Late Suresh Nandan Prasad Sharma
Both resident of Village - Poari, P.S.- Harnaut, Distt.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is the tractor owner and his son, who are apprehending their arrest in connection with Harnaut P.S. Case No. 61/2019 registered for the offense punishable under Sections 379 of the Indian Penal Code, 04/21 of M.M. (D.R.) Act, 1957, 04/40 of B.M.M. Rules, 1972 and also under Section 4/5/(a)/5(c)/8(a) of the Bihar Prevention of Illegal Mining transportation and Storage Rules, 2003.

Learned counsel for the petitioners submits that nothing illegal has been recovered from the tractor of the petitioner and only on the suspicion that the said tractor was



involved in the commission of illegal cutting of soil, the tractor was apprehended and the petitioners are facing prosecution.

Considering the aforementioned facts and circumstances and that these petitioners have no criminal antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda, in connection with Harnaut P.S. Case No. 61/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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