

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25561 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- BARUN District- Aurangabad

1. Dinesh Singh, S/o Late Mahadeo Singh Resident of Village- Bhopatpur Tola Barwadih, P.S.- Barun, District- Aurangabad.
2. Lalan Kumar Singh, S/o Ganesh Singh Resident of Village- Tendur Bindaulia, P.S.- Barun, District- Aurangabad.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.

Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379, 411, 420/34 of the Indian Penal Code, Sections 4 and 40 of the Bihar Minor Mineral Concession Rule and Section 15 of the Environment Protection Act.

Ten illegal sand laden tractors were seized by the informant and petitioners happen to be owner and driver of one of the aforesaid tractors.

Learned counsel for the petitioners submitted that no such occurrence as alleged ever took place. The petitioners are quite innocent. As a matter of fact, the aforesaid tractor



was not laden with the sand rather with soil having traces of sand but the informant has falsely implicated them in this case due to non-coughing up of the illegal demand made by him. There is violation of Section 100 Cr.P.C. Similarly situated co-accused, namely, Chandan Kumar and another, Ritu Devi and Umesh Kumar have been enlarged on anticipatory bail by different coordinate Bench of this Court in Cr. Misc. Nos.22638 of 2019, 23658 of 2019 and 24267 of 2019 vide order dated 11.04.2019, 12.04.2019 and 16.04.2019 respectively. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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 C.J.M., Aurangabad in connection with Barun P.S. Case No. 45 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

