

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28524 of 2019**

Arising Out of PS. Case No.-276 Year-2018 Thana- MAJHAULIA District- West Champaran

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1. SHAMBHU SAH, aged about 50 years, Male, Son of Late Sheoraj Sah Resident of Village - Basra, P.S.- Majhauria, District- West Champaran
2. Janak Sah, aged about 35 years, Male, Son of Late Bhikhari Sah Resident of Village - Hari Pakri, P.S.- Majhauria, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Md. Anis Akhtar

For the Opposite Party/s : Mr.Parmanand Prasad

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      02-05-2019                      Heard learned counsels for the petitioners and  
the State.

Petitioners apprehend arrest in connection with Majhauria P.S. Case No. 276 of 2018 registered for the offence punishable under sections 4(i) & 4(x) of the Bihar Mining Act (Bihar Minor Mineral Concession Rules), 1972.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case with ulterior motive. Petitioner no. 1 is the driver and petitioner no. 2 is the owner of the tractor in question. As a matter of fact, the said tractor was carrying sand with valid challan as is evident from Annexure-2. Petitioners are men



of clean antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, Bettiah, West Champaran in connection with Majhauria P.S. Case No. 276 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

**(Arvind Srivastava, J)**

mcv/-

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