

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28801 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- BARUN District- Aurangabad

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1. Raju Kumar Son of Laxman Singh, Resident of Village- Chhakan Bigha, Police Station- Barun, District- Aurangabad (Bihar)- (owner of the alleged Tractor).
 2. Surya Narayan Singh, Son of Tulsi Singh, Resident of Village- Chhakan Bigha, Police Station- Barun, District- Aurangabad (Bihar)- (driver of the alleged Tractor).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director Minor Mineral Department Govt. of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-05-2019 Heard both sides.

The petitioners apprehend their arrest in Barun P.S.
Case No.52 of 2019 registered under Sections 379, 420, 411 and 34 of the Indian Penal Code and under Sections 4 and 40 of the Bihar Minor Mineral Regulation Act and under Section 15 of the Bihar Environment (Protection) Act as well as under section 3 of the Public Property Destruction Act..

Learned counsel for the petitioner submits that the house of petitioner is situated on the bank of the river. Petitioner no.1 is owner of the tractor and petitioner no.2 is driver of the tractor. Tractor was being used for carrying soil and the



petitioners have falsely been implicated in this case only due to non-fulfillment of illegal demand.

Having considered the facts aforesaid and the nature of allegation against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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., Aurangabad (Bihar) in connection with Barun P.S. Case No.52 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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