

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33175 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- RAJAON District- Banka

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1. Chandan Yadav @ Chandan Kumar Yadav, son of Late Jagdish Yadav, Resident of Village- Ram Nagar, P.S.- Kahalgaon, District- Bhagalpur.
 2. Mukesh Yadav @ Mukesh Kumar, son of Kamleshari Yadav, Resident of village- Amarpur Ekchari, P.S. Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Rajoun P.S. Case No. 25/2019 registered for the offence punishable under Sections 379/411/420/467/468/471/120(B) of the Indian Penal Code, Section 4/40 of BMMC Act 1972, Under Section 3/6/8(d) of Bihar Mining Illegal Transportation Storage Prevention Act, 2003, under Section 3/4 of Damage & Property Act and Under Section 15 of the Forest Environment Act, 1986.

Learned counsel for the petitioners submits that though the petitioners' vehicle which is alleged to be carrying sand is having a valid licence as well as valid Challan for



carriage of the sand which had been loaded thereon, the petitioners have been roped in, in the present case on account of vindictive behavior of the officers. Learned counsel for the petitioners submits that he is a respectable person of the area and is not likely to abscond or tamper with the evidence as he has his business in the concerned area. It is further submitted that petitioner No. 1 is the owner and the petitioner No. 2 is the driver of the vehicle in question and have no criminal antecedent.

In view of the aforementioned facts and circumstances, 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. Banka, in connection with Rajoun P.S. Case No. 25/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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