

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.80612 of 2018**

Arising Out of PS. Case No.-188 Year-2018 Thana- BARUN District- Aurangabad

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1. Upendra Singh S/o- Ramchandra Singh, Resident of Village - Chandar Bigha, P.S.- Barun, District- Aurangabad.
  2. Dharmendra Kumar Yadav S/o-Raja Ram Yadav Resident of Village - Naga Bigha, P.S. - Aurangabad, District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      07-02-2019                      Heard learned counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Barun P.S. Case No. 188 of 2018 registered under Sections 379, 411 and 420 read with 34 of the Indian Penal Code, Sections 4 and 40 of the Bihar Mineral Rules and Section 15 of the Environment Protection Act.

It is submitted by the learned counsel for the petitioners that the petitioners are owner and driver respectively of the tractor bearing chassis no. WZTF28428130397. The said vehicle was taken on hire. They were not aware that the company namely, Aditya Multicom Pvt. Ltd. was settlee for the mining of sand. The tractor was taken on hire by a neighbour



and the petitioners are not in any manner concerned with any sand loaded on the trailer attached to the tractor. It is further contended that the petitioners having no criminal antecedent and having got roots in the society are not likely to abscond or temper with the evidence.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below, the petitioners are directed to be released 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 Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 188 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md. S/SKSuman.

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