

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35918 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- ISHIPUR District- Bhagalpur

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1. RAJESH KUMAR S/o Mahesh Sah R/o village- Nandlalpur, P.S.- Kahalgaon, District- Bhagalpur
 2. Bipin Kumar S/o Sohan Das R/o village- Nandlalpur, P.S.- Kahalgaon, District- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Barahat P.S. Case No. 27 of 2019 registered for the offences punishable under Sections 379, 411 of the Indian Penal Code, 4/40 of Bihar Minor Mineral Concession Act and 4/6/8 of Bihar Control of Protection Illegal Mining Transportation and Storage Rules, 2003.

Prosecution story is that while the informant was on patrolling duty he intercepted 8-10 trucks loaded with stone chips and after paper checking two of the trucks were released and in the meantime drivers of other trucks had fled away as they had no registration number as per seizure list.

Submission of learned counsel for the petitioners is



that they are owner and driver and petitioner No.1 has purchased the new truck and owner book was under process and as the vehicle was new challan was also not issued and further they are ready to abide by any condition that may be imposed on them in future.

Heard learned APP also.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VIII, Bhagalpur, in connection with Barahat P.S. Case No. 27 of 2019, G.R. No. 1174 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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