

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39588 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- BARUN District- Aurangabad

SIKANDAR YADAV Son of Mahadeo Yadav Resident of Village- Dhundhua,
P.S.- Navinagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Barun P.S.Case No. 118 of 2018 registered under Sections 379 and 411 of the Indian Penal Code, 4 and 40 of the Bihar Minor Mineral Concession Rules and 15 of the Environment Protection Act.

Allegation, as per the FIR, is that a tractor bearing No. ICR XTRAC242, Engine No. 516529120553 and Chassis No. 916610263156, mentioned at sl. no. 8 in the FIR, was caught loaded with sand taken out of illegal mining and petitioner was the driver of that tractor.

Submission of learned counsel for the petitioner is that petitioner is the driver of the tractor in question and has no concern with the sand and somebody else had hired the tractor. He



submits that similarly situated persons who are driver and owner of the tractors, have been granted anticipatory bail by co-ordinate Benches of this Court vide Cr. Misc. No. 45757 of 2018 and Cr. Misc. No. 65996 of 2018.

After having heard learned counsel for the petitioner and learned counsel for the State and taken into consideration the fact that similarly situated other co-accused persons have been granted bail by co-ordinate Benches of this Court, I am inclined to grant privilege of anticipatory bail to him.

Accordingly, let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S. Case No. 118 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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