

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39556 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- BARUN District- Aurangabad

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1. VINOD SINGH @ VINOD KUMAR SINGH Son of Late Jagganath Singh Resident of Village-Suara, P.S.-Dehri, District-Rohtas.
 2. Ram Lakhan Saw S/o Gaura Saw Resident of Dehri, P.S.-Dehri, District-Rotas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Mines Dept. Government of Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Uma Shankar Singh
For the Opposite Party/s :	Mr. Satya Nand Shukla, APP
	Mr. Naresh Dikshit, P.P.
	Ms. Kalpana.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-06-2019 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Barun P.S.Case No. 6 of 2019 registered under Sections 379, 411 and 420/34 of the Indian Penal Code, 4 and 40 of the Bihar Minor Mineral Concession Rules and 15 of the Pollution Control Act.

Allegation, as per the FIR, is that the Mining Officer, on getting secret information, raided that place and found that sand was being loaded on a truck bearing No. UP 65BT 2171. On inspection, 200 CFT sand was found loaded on that truck. It is alleged that said truck belongs to petitioner no. 1 and petitioner no. 2 is driver.

Submission of learned counsel for the petitioners is that



petitioners have valid licence for loading 500 CFT of sand and accordingly under that licence, 200 CFT of sand was being loaded for the purpose of transportation.

After having heard learned counsel for the petitioner and learned counsel for the State as well as learned counsel appearing on behalf of the Mining Department and from perusal of the materials available on record, it appears that petitioners have valid licence for transporting sand as such I am inclined to grant privilege of anticipatory bail to petitioners.

Accordingly, let the petitioners, 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/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S. Case No. 06 of 2019; 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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