

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44745 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- BANKA District- Banka

1. Gautam Kumar @ Yadav @ Goutam Kumar @ Gautam Yadav Son of Shyam Sundar Yadav, Resident of Village-Mirzapur Changeri, P.S-Barahat, District-Banka.
2. Basant Yadav Son of Tapaswi Yadav @ Tappi Yadav Resident of Village-Mirzapur Changeri, P.S-Barahat, District-Banka.
3. Prince Yadav @ Prince Kumar Son of Foudi Yadav @ Fanthu Yadav Resident of Village-Mirzapur Changeri, P.S-Barahat, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Banka (Barahat) P.S. Case No.35 of 2019, registered for the offences punishable under Sections 279, 353, 379, 411 of the Indian Penal Code, Section 8/40 of the B.M.M.C. Rules 1972 and Section 15 of the Forest & Environment Act, 1986.

The allegation against the petitioners is to have lifted and loaded the sand illegally on the tractor without valid challan, however, learned counsel for the petitioners submits that the petitioners have got no criminal antecedent and they have no concerned with the alleged sand.



Looking to the entire facts and circumstances of the case, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 35 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that if the petitioners, after their release in this case, are again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of their bail bonds. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/-

U			
---	--	--	--

