

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71583 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- HALSI District- Lakhisarai

Rabindra Yadav Son of Suresh Yadav, Resident of Village- Pipariya, Police Station- Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 05-02-2019 Heard the parties.

The petitioner seeks pre-arrest bail in Halsi (Ramgarh Chowk) P.S.Case No.146 of 2018 registered under Sections 379/411 of the Indian Penal Code Sections 4/40 of Bihar Minor Concession Act, Sections 4,6,8 of the Bihar Control and Protection of Illegal Mining Transportation and Storage Act and Section 15 of the Environment (Protection) Act.

Accusation is that in course of patrolling a tractor attached with trailer loaded with illegal sand was coming to the house of one Raju Malakar and when the informant gave signal to stop the tractor the driver started fleeing but he was apprehended by the police who disclosed his name as Kundan Kumar driver and on query he failed to produce any paper or



challan regarding the sand.

Learned counsel appearing on behalf of the petitioner submits that admittedly the petitioner is the owner of the tractor attached with tailor seized by the police. In fact, the tractor was engaged at brick kiln for transporting the brick but the driver engaged by the petitioners engaged the tractor for carrying the sand without giving information to the petitioner and petitioner had no knowledge about loading sand.

Having considered the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of J.M., 1st Class, Lakhisarai, in Halsi (Ramgarh Chowk) P.S. Case No.146/18 Subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further condition is that one surety must be of own relative of the petitioner.

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(Rajendra Kumar Mishra, J)

