

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52888 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- BARUN District- Aurangabad

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1. Vikash Kumar, Son of Dinanath Singh, Resident of Village-Kurur, P.S.-Gorasi, District-Rohtas.
 2. Manoj Singh, Son of Vishavnath Singh, Resident of Village-Patpura, P.S.-Dehri, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mining Officer, Aurangabad. Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 13-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Barun P.S. Case No. 65 of 2019, registered under Sections 379, 411 and 420/34 of the Indian Penal Code, Sections 4/40 BMMCR and Section 15 of the Environment Protection Act.

The accusation is that in course of raid by the informant along with other police personnel, three tractors attached with the trailer were found loaded with illegal sand including the tractor of the petitioner no.1, as detailed at serial no. 3 in the F.I.R., which was being driven by the petitioner



no.2.

Learned counsel for the petitioners submits that, in fact, seized sand was being carried after procuring the proper challan, which is at page 18 of the petition, but on seeing the police party, petitioner no. 2, who was driving the aforesaid tractor, fled away. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 65 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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