

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52898 of 2019

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

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1. LALTI DEVI Wife of Lorik Singh Resident of Village - Bahrar (Karvandiya), P.S.- Sasaram, Distt - Rohtas.
 2. Janeshwar Kumar Son of Kedar Singh Resident of Village - Patpura, P.S.- Dehri, Distt - Rohtas.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 13-09-2019 Heard.

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 besides Sections 4/40 of the BMMCR and Section 15 of the Environment Protection Act.

The accusation is that in course of raid by the informant and other police personnel, three tractors attached with trailers loaded with illegal extracted sand were seized.

Learned counsel for the petitioners submits that the petitioner no.1 is owner, whereas the petitioner no.2 is the driver



of the seized tractor attached with trailer, details of which is mentioned in the accused column of the F.I.R. In fact, the said tractor was being driven by the petitioner no.2 loading the extracted sand on the trailer of the same, after taking the proper 'Challan' but on giving the signal by the police party to stop the same, the petitioner no.2 fled away leaving the said tractor attached with trailer loaded with extracted sand. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Barun P.S. Case No.65 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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