

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44061 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- BANKA District- Banka

1. Babloo Yadav, aged about 36 years, Male, Son of Prayag yadav Resident of Village - Majlispur, P.S.- and Dist.- Banka.
2. Sharad Yadav, aged about 26 years, Male, Son of Ashok Yadav Resident of Village - Majlispur, P.S.- and Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Banka P.S. Case No. 25 of 2019 registered for offences under sections 379, 411, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code and Bihar Minerals Prevention of Illegal Mining and Transportation and Storage Rules, 2003, 40 B.M.C. Rule, 1984, Section 15 Forest Environment Act and Section 3 of the Prevention of Damage of Property Act, 1984.

This is a case of theft of sand.

In the present case, an allegation has been made against the petitioners of forgery with Challan as also of trying to cheat the Department.



Learned counsel for the petitioners submits that the petitioners are the owner of the seized vehicle and they have handed over the vehicle to the driver. He further submits that the petitioners have already deposited the loss amount of the Government in the Department.

Looking to the entire facts and circumstances of the case as also the petitioners having no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 25 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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