

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46780 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- RAJAON District- Banka

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1. RANJAY KUMAR Son of Udhav Yadav Resident of Old Bus Stand, P.S.- Banka, District- Banka
 2. Krishna Kumar Son of Basuki Yadav Resident of Village - Ghutiya (Sanjha), P.S.- Rajaun, District- Banka

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Principal Secretary cum Commissioner, Department of Mines and Geology Government of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 16-11-2019 Heard both sides.

The petitioners apprehend their arrest in Rajoun P.S. Case No.57 of 2019 registered under Sections 379 and 411 of the Indian Penal Code, Bihar Mineral Prevention of Illegal Mining Transportation and Storage Rules, under Section 4/40 of Bihar Minor Mineral Concession Rules and Section 15 of Forest and Environment Act.

The tractors of the petitioners loaded with sand were seized.

The learned counsel for the petitioners submits that petitioners were carrying only 150 cft. sand and they are ready



to pay the fine for recovery of 150 cft. sand. Petitioners have got no criminal antecedent.

Taking into consideration the fact that petitioners are ready to deposit the fine assessed by the Mining Department within three months, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka or where case is pending in connection with Rajoun P.S. Case No.57 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioners fail to pay the fine of 150 cft. sand within three months, learned court below shall cancel the bail bonds of the petitioners immediately thereafter.

(Prabhat Kumar Jha, J)

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