

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53635 of 2019

Arising Out of PS. Case No.-184 Year-2019 Thana- TEKARI District- Gaya

1. Nand Kishore Ram @ Nand Kishore Yadav @ Nand Kishore Kumar Son of Uday Narayan Yadav, Resident of Village- Jagarnath Pur, P.S.- Chandauti, District- Gaya.
2. Jitesh Kumar Yadav Son of Jagdish Yadav, Resident of Village- Chapra, P.S.- Goh, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lilawati Singh
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-08-2019 Heard both sides.

Petitioners apprehend their arrest in Tekari P.S. Case No.184 of 2019 registered under Sections 379 and 411 of the Indian Penal Code and under sections 4 and 21 of the MMDR Act as well as under sections 4 and 40 of the BMMC Act and under sections 4, 5A 5C, 8A of the BMM Act.

Petitioners are the owner and the driver of Hyva bearing registration no.BR02GA-1265, which was loaded with soil.

Learned counsel for the petitioners submits that the petitioners were carrying soil after taking it from the raiyati land. There is no material to show that the petitioners were



taking soil from the prohibited mining area.

Having considered the facts and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Gaya in connection with Tekari P.S. Case No.184 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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