

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54643 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- DARIHAT District- Rohtas

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1. NIRAJ SINGH Son of Pramod Singh Resident of Village - Tenua Khurd, P.S.- Akodhi Gola, Dist.- Rohtas at Sasaram.
 2. Sunil Kumar Singh @ Sunil Kumar Singh Chauhan Son of Babu Singh @ Prabhu Baban Singh Chouhan Resident of Village - Nawadih, P.S.- Akhorigola, dist.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-08-2019 The petitioners apprehend their arrest in connection with Darihat P. S. Case No. 19 of 2019 registered under Sections 379 and 411 of the Indian Penal Code and Section 40(1) of the Bihar Mines Act.

Allegation against the petitioners, as per FIR, is that the police intercepted three tractors loaded with illegal sand and upon seeing the police, the drivers of the tractors fled away leaving the tractors on the spot.

Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 is owner of one of the tractor and the said tractor was being driven by driver, petitioner no. 2 and petitioner no. 1 being owner of the seized tractor, had not given any permission or instruction to the driver to transport any



illegal sand or materials. Learned counsel further submits that tractor was not loaded with the illegal sand and similarly situated other co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court in Cr.Misc. No. 44751 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner no. 1 is owner and petitioner no. 2 is driver and similarly situated co-accused persons have been granted anticipatory bail, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Dehri, Rohtas in connection with Darihat P.S.Case No. 19 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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