

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53751 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- KIUL District- Lakhisarai

Shyamnandan Singh, Son of Parasnath Singh Resident of Hasanpur, P.S.-
Pipariya, District- Lakhisarai, Owner of the Seized Tractor Br. 53G/0853
Swaraj 744 FE (Mahindra and Mahindra) Chassis No-WSCCK45621179144,
Engine No-43105SYK24637 and its trailer having registration No.- BR
53G/1117

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kiul P.S. Case no. 45 of 2019, registered under Sections
337, 338, 332, 333, 353, 307, 379 and 411/34 of the Indian
Penal Code, Section 4/40 of Bihar Minor Mining Concession
Act, Section 4/6/8 of the Bihar Control of Prevention of Illegal
Mining and Transportation and Storage Rules, 2003 and
Section 15 of the Environment (Protection) Act.

The accusation is of seizure of tractor bearing
registration No. BR-53G-0853 attached with the trailer loaded
with illegal extracted sand belonging to the petitioner.

Learned counsel for the petitioner submits that, in



fact, the petitioner is the owner of the said tractor, which was being driven by driver and petitioner had no knowledge about carrying of illegal extracted sand. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in connection with Kiul P.S. Case No. 45 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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