

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56647 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- BANDHUWA KURAWA District- Banka

1. SANDEEP KUMAR KEDIA Son of Late Raj Kumar Kediya Resident of Village - Dalia, P.S.- Baunsi, District- Banka
2. Dilip Kumar Kedia Son of Late Raj Kumar Kediya Resident of Village - Dalia, P.S.- Baunsi, District- Banka
3. Gopal Mistri Son of Hira Mistri Resident of Village - Dalia, P.S.- Baunsi, District- 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.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-09-2019 This application, for grant of anticipatory bail, arises out of Bandhuwa Kurawa P.S. Case No. 17/2019, disclosing offences under Sections 379 and 411 of the Indian Penal Code and Section 4/40 of B.M.M.C. Rule, 1972, 4/21 (4a) M.M.D.R. Act, 1957 and 3,6,8,(b) of Bihar Mineral Prevention of Illegal Mining Transportation and Storage Rule 2003 and Section 3 of damage to Public Property Act.

Prosecution case is that police intercepted three Haiwa trucks loaded with stone chips more than the capacity and when the drivers of the truck were asked to produce the papers but no valid papers were produced and in the meantime, one Haiwa truck fled away.



Submission of learned counsel for the petitioners, who are owners of the truck is that there is nothing available on record to show as to how much excess stone chips were loaded in the truck. Moreover, the petitioners have the papers and is ready to produce the same also ready to pay the fine, if any.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let petitioners surrender in the court below within two weeks from the date of receipt of order, on which, the court below shall release them on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Banka, in connection with Bandhuwa Kurawa P.S. Case No. 17/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is also subject to the condition that they will appear before the police as and when required and will produce the papers as required by the police and further they will also pay the fine within two months, if any imposed upon them by the Government.

(Vinod Kumar Sinha, J)

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