

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56546 of 2019

Arising Out of PS. Case No.-201 Year-2019 Thana- KOILWAR District- Bhojpur

1. American Ray S/o Ram Kumar Ray R/o Village- Rauja Chapra, P.S.- Nagar Chapra, District- Saran
2. Pradeep Kumar S/o Rama Shankar Ray R/o village- Rauja Chapra, P.S.- Nagar Chapra, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Koilwar P.S. Case No.201 of 2019 for the offence punishable under Section 379 of the Indian Penal Code, Bihar Minor Minerals Concession Rules, 1972, Section 40(4) of Bihar Mineral Prevention of Illegal Mining Transportation and Storage Rule, 2003 and Section 3 of E.P. Act of 15.

The allegation against the petitioners as per the First Information Report is that on 19.06.2019, the informant, Mining Officer, received information that some persons were indulged in illegal mining and transportation of the sand on the bank of some river. Upon that information, the police proceeded towards the place of occurrence and seized 20-30 tractors, motorcycle loaded with some



sand.

Mr. Manoj Kumar, learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as from perusal of the seizure list, it would be evident that the seized tractors were not attached with any trailer loaded with sand. Learned counsel further submits that petitioners have got no criminal antecedent.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the tractors which were seized by the police were not attached with any trailer loaded with sand, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

