

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62320 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- SUIYA District- Banka

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1. Ravindra Yadav, Son of Basudev Yadav Resident of Village - Paingaha, P.S.- Jhajha, District- Jamui
 2. Pramod Kumar Yadav, Son of Bisheshwar Yadav Resident of Village - Saraiya, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Suiya P.S. Case No. 78 of 2019, registered under Sections 379 and 411 of the Indian Penal Code and BMCC Rule, 1972 amended 2014, Section 40(a), 8(B) of BM (PIMT and S) Rule, 2003 and Section 15 of the Environmental Protection Act, 1986.

The accusation is of seizing of five tractors attached with trailor with illegal extracted sand, while the drivers of the tractors succeeded to flee away.

Learned counsel for the petitioners submits that petitioner no. 1 is the driver of tractor bearing registration no.



BR-46G-4583 and petitioner no. 2 is the driver of tractor bearing registration no. BR-46G-5903, which are said to be seized loaded with sand, while both petitioners being the driver of the tractors parked and moved at tea shop and at that time, both tractors seized, in fact, both the petitioners were carrying the sand of customers on the the instruction of owner of the tractors. Both petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M.-I, Banka, in connection with Suiya P.S. Case No. 78 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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