

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64772 of 2019

Arising Out of PS. Case No.-213 Year-2019 Thana- RAJAON District- Banka

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1. NISHANT KUMAR SINGH Son of Anant Kumar Singh Resident of Village- Chandwa, P.S.- Pirmokam, District- Katihar.
 2. Prakash Mandal Son of Anandi Mandal Resident of Village- Fatehpur, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2019 This application, for grant of anticipatory bail, arises out of Rajoun P.S. Case No. 213 of 2019, disclosing offences under Sections 379/411 of the Indian Penal Code and Section 40 of the B.M.M. C., Rules 1972, Section 46 of Bihar Mineral Prevention and Illegal Mining and Transportation and Storage Rule 2003, amended 2014 ad Section 15 of the Forest and Environment Act, 1986.

Allegation is of recovery 750 CFT sand from the truck of the petitioners and no valid paper was produced.

Submission of learned counsel for the petitioners is that petitioner no. 1 is the owner of the truck and petitioner no. 2 is driver and they were carrying the valid challan but due to



inadvertence, they could not produce the same.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of his arrest or surrender before the court below within six weeks, be released 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 Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 213 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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