

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74291 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- DHURAIYA District- Banka

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1. Bindeshwari Yadav @ Bindeshwari Pd. Yadav Son of Fuleshwar Yadav Resident of Village - Chanduki, P.S.- Harpur, Distt.- Munger.
 2. Kanhaiya Yadav Son of Bipin Yadav Resident of Village - Kuntha, P.S.- Shambhuganj, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2019 The petitioners seek bail in anticipation of their arrest in connection with Dhoraiya P.S. Case No. 162 of 2019 dated 26.08.2019 instituted for the offences under Sections 379, 411 of the Indian Penal Code, Section 40 of the Bihar Minor Mineral Concession Rules, 1972, Section 8 of the Bihar Minerals (Prevention of Illegal Mining Transportation & Storage) Rules, 2003 and Section 15 of the Forest Environment Protection Act, 1986.

It appears that vehicles of the petitioners were loaded with sand for which there was no proper



authorization. When the permit was asked for, the same could not be produced.

Learned counsel for the petitioners has submitted that the permits were available with the drivers of the vehicles but because of the fear of the police, they ran away. Hence, no offence under anyone of the provision of the Indian Penal Code or the Forest Act can at all be said to have been made out against the petitioners.

Considering the aforestated facts and taking into account the clean antecedents of the petitioners, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, are directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 162 of 2019, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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