

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72845 of 2019

Arising Out of PS. Case No.-173 Year-2019 Thana- KATORIYA District- Banka

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MUKESH YADAV Son of Mitu Yadav Resident of Village- Bhaluakura,
Police Station- Katoriya, District - Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Mining Officer-cum Competent officer, Banka. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code and Section 4/21 of MMRD Act, 1957 and Section 4/40 of BMMC Rule, 1972.

Allegation against the petitioner is of illegal mining of Sand and transporting said sand on his Tractor.

It has been submitted on behalf of the petitioner that petitioner is driver of the vehicle having no criminal antecedent and is in custody since 13.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like



amount each to the satisfaction of learned court below where the case is pending in connection with **Katoriys P.S. Case No. 173 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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