

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80144 of 2019**

Arising Out of PS. Case No.-221 Year-2019 Thana- BAUNSI District- Banka

1. NAVEEN YADAV Son of Tej Narayan Yadav Resident of Village - Sarocha, P.S.- Bounsi, District - Banka.
2. Amit Yadav @ Amit Kumar Yadav Son of Murari Yadav Resident of Village - Sarocha, P.S.- Bounsi, District - Banka.
3. Sumit Jha @ Sumit Kumar Mishra Son of Bakey Bihari Mishra Resident of Village and P.S.- Bounsi, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bounsi P.S. Case no. 221 of 2019, registered under Section 379, 411 and 353/34 of the Indian Penal Code, Section 40 of the B.M.M.C. Rules and Section 8(a)(b) of the Environment Protection Act.

The accusation is that in course of patrolling duty, the informant and other Police personnel received information about loading of the sand at the bank of Sukhniya river. The informant along with other Police personnel proceeded for there then in the way, on seeing the Police party, three persons started fleeing leaving the tractor, while they were chased, but



they succeeded to flee away entering in the village population. When informant and other Police personnel reached near the tractor then found sand loaded on the trailer attached with the tractor. Thereafter, tractor was seized and when they proceeded from there then all of sudden, the petitioners made attempt to stop the tractor.

Learned counsel for the petitioners submits that, in fact, the petitioners were moving through the road, but they have falsely been implicated in this case mere on suspicion. The 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No. 221 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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