

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84408 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- SUIYA District- Banka

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Santosh Kumar Yadav @ Santosh Yadav, Son of Kailu Yadav, Resident of
Village - Ashnatari, P.S.- Katoria, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mining Officer-Cum competent Officer, Banka Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-12-2019 This is an application for grant of anticipatory bail in connection with Suiya P. S. Case No. 87 of 2019, disclosing offences under Sections 379, 411, 34 of the Indian Penal Code, Section 40 IV, V, VIII B.M..M.C. Rules, 1972 and Section 6(4) of Bihar Mineral Prevention of Illegal Mining Transportation and Storage Rules 2003.

As per F.I.R. Police on information that two tractors loaded with the sand was proceeding towards village Mahesmanna and one motorcycle was also engaged in the illegal mining the sand, reached there and seized the tractors and motorcycle but the motorcycle driver succeeded in fleeing away. Later on, it transpires that motorcycle is of the petitioner.

Submission of the learned counsel for the petitioner is



that he has falsely been implicated in this case. He is not the owner of the motorcycle, rather his father is the owner of the same. He has no criminal antecedent. He is ready to abide by any condition imposed on him.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, 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) with two sureties of the like amount to the satisfaction of learned A.C.J.M.-I, Banka, in connection with Suiya P. S. Case No. 87 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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