

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1963 of 2019

Arising Out of PS. Case No.-103 Year-2018 Thana- PIRI BAZAR District- Lakhisarai

1. Anoj Kumar and Anr Mahesh Yadav Resident of Village - Chandanpura P.S.- Surajgarha.
2. Sadhu Yadav Beku Yadav Resident of Village - Chandanpura P.S. - Surajgarha.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-02-2019 Heard the parties.

The petitioners seek anticipatory bail in connection with Piri Bazar P. S. Case No. 103 of 2018, registered for offences punishable under Sections 379/411 of the Indian Penal Code and Section 4/40 of the Bihar Minor Minerals Concession Rules, 1972 and Bihar Minerals Prevention of Illegal Mining, Transportation and Storage Rules.

Allegation against the petitioners is that the tractor loaded with illegal sand and accordingly, a seizure list has been prepared.

Submission of the learned counsel for the petitioners is that he has falsely been implicated and the petitioners have



no criminal antecedent and the petitioner No. 1 is owner of the tractor and petitioner No. 2 is driver of the alleged tractor and they have no criminal antecedents and other co-accused persons have been granted bail.

Learned A.P.P. opposes the prayer for bail.

Having heard the facts and circumstances, the case of the petitioners, I am not inclined to grant bail to the petitioners, accordingly, prayer of anticipatory bail is rejected with a direction to the petitioners that if the petitioners surrender before the court below within a period of four weeks from the date of order and make prayer for regular bail, same shall be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly disposed of on the same day.

(Vinod Kumar Sinha, J)

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