

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16212 of 2020

Arising Out of PS. Case No.-40 Year-2020 Thana- DEHRI TOWN District- Rohtas

-
1. SUNIL SINGH son of Surendra Singh Resident of Village - Khemaupur, P.O.- Chandeshwar, P.S. - Sidhari, District - Azamgarh (U.P.).
 2. Gulab Chand son of Sri Rambelash Resident of Village - Rajepur, Shahrarapur, P.S.- Rajesultanpur, District- Ambedkar Nagar (U.P.)
 3. Gyan Pratap Singh Son of Jagdish Singh Resident of Village - Khemaupur, P.O.- Chandeshwar, P.S. - Sidhari, District - Azamgarh (U.P.).
 4. Dayaram Yadav @ Daya ram Son of Sumer Singh Resident of Village - Bachhwapur, P.S. - Maharajganj, District - Azamgarh (U.P.).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The District Mining officer Rohtas at Sasaram. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Dehri Town
P.S. Case No. 40 of 2020, registered for the offences punishable
under Section 379/411 of the Indian Penal Code and section
56(1), 56(2) of the Bihar Minerals (Prevention of Illegal
Mining, Transportation and Storage) Rules, 2019.



Petitioners are owners and driver of the seized trucks and allegation against them is that they transported illegal sand through their trucks without having valid license.

It is submitted that petitioners have been falsely implicated in this case merely on suspicion. Petitioners are not named in the FIR. Petitioners are bona fide owners and drivers of the truck. No case under Section 379 and 411 of IPC is made out against the petitioners. Petitioners have got clean antecedent as mentioned in para 3 of the bail petition.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Dehri, Rohtas in connection with Dehri Town P.S. Case No. 40 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

