

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20426 of 2020

Arising Out of PS. Case No.-602 Year-2019 Thana- DIGHA District- Patna

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1. AMIT RAY @ AMIT KUMAR, S/o Bindeshwar Ray, R/v- Nirala Nagar, Digha, P.S.- Digha, Distt- Patna.
 2. Amarjeet Kumar Yadav, S/o Chhatrapati Ray, R/v- Tenant in the house of Panchanand Ray, Hulukpur, Bishunpur Pakri, P.S.- Maner, Distt- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Adv.
For the State	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

3 11-11-2020 The defect as pointed out by the office be ignored.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor appearing for the State, through virtual mode.

Petitioners apprehend their arrest in connection with Digha P.S. Case No. 602/2019, registered for offences punishable under Sections 379, 411 of the Indian Penal Code read with Section 11/56 of the Bihar Mineral (Concession Prevention of Illegal Mining Transportation and Storage Rule), 2019.

Sand loaded tractors were recovered resulting the institution of the present case.



However, submission on behalf of the petitioners is that petitioners are owners of the seized tractors and they had valid paper for transporting the sand. Moreover, having more or less similar allegation, co-accused, Pramod Ray, has already been granted the privilege of anticipatory bail by the learned Addl. Sessions Judge XIIIth, Patna, vide order dated 04.12.2019 passed in ABP No. 8380/2019.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna, in connection with Digha P.S. Case No. 602/2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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