

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 17842 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- Amarpur District- Banka

1. Karu Yadav, aged 56 years (male) S/o Devan Yadav
2. Kundan Kumar @ Kundan Yadav, aged 24 years (male) S/o Karu Yadav, Both residents of village Kaushalpur, P.S. Amarpur, Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/ : Mr. Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2	15-09-2020	Heard learned counsel for the petitioners and learned APP for the State, through video conferencing. The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Amarpur P.S. Case No. 66 of 2020 registered under sections 379 and 411 of the Indian Penal Code, section 56 of the Bihar Minerals Concession, Prevention of Illegal Mining, Transportation and Storage Rule, 2019 and section 25 MMDK Act and section 15 of Forest and Enviornment (Protection) Act, 1986. As per allegation in the FIR, on search of vehicle being conducted it is stated that the petitioners who are the owner and driver of the vehicle, managed to escape. 100 cubic feet of sand was found loaded on the trailer. It is submitted by learned counsel for the petitioners
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	that the allegations as levelled in the FIR are false and concocted. They are the owner and the driver of the vehicle in question. Neither they have indulged in any illegal mining of sand nor has any incriminating article being recovered. The petitioners have no criminal antecedent. The application for bail is opposed by learned APP for the State. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioners on anticipatory bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Amarapur P.S. Case No. 66 of 2020, they shall be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/ (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.
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(Partha Sarthy, J)

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