

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26630 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- AMARPUR District- Banka

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1. MITHILESH YADAV Son of Suchit Yadav Resident of Village - Sadpur Rajwara, P.S. - Amarpur, District - Banka.
 2. Rajesh Kumar Son of Jai Prakash Yadav @ Prakash Yadav Resident of Village and P.S. - Barahat, District - Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Director Bihar Mineral Mining Corruption Department, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-11-2020 The matter has been taken up through virtual Court proceeding.

Let the defects be removed within two weeks of the start of the physical Court.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code, Section 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage) Rules, 2019, Section 21 of the MMDR Act, 1957 and Section 15 of the Environment Protection Act.

Allegation against the petitioners is that they were



carrying sand without valid permit or licence. Petitioners have got no criminal antecedent.

Considering the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Amarpur (Fullidumar) Police Station Case No. 09 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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