

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68878 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- PUWAKHALI District- Kishanganj

1. MINHAZ ALAM @ MINHAJ ALAM Son of Salimuddin Resident of Village-Chakkarmari, P.S.-Thakurganj, District-Kishanganj.
2. Quamruzzaman @ Anjarul Son of Late Abid @ Aabid Resident of Village-Kathalbari, P.S.-Thakurganj, District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar, APP
For the Opposite Party/s	:	Mr.Anand Kishore Choudhary, APP
for the Mining	:	Mr. Naresh Dikshit, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 05-02-2020 Heard both sides.

The petitioners apprehend their arrest in Powakhali P.S. Case No.20 of 2019 registered under Sections 379 IPC and Bihar Laghu Khanij Samnuddan Niyamawali, 1972 Rule 40 and Bihar Khanij Niyamawali 2003 Rule 6(4)8.

The tractors of the petitioners loaded with sand were seized.

The learned counsel for the petitioners submit that petitioners was carrying only 100 cft. sand and they are ready to pay the fine for recovery of 100 cft. sand. Petitioners have no criminal antecedent.

Taking into consideration the fact that petitioners are



ready to deposit the fine assessed by the Mining Department within three months, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj or where case is pending in connection with Powakhali P.S. Case No.20 of 2019 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioners fail to pay the fine of 100 cft. sand within three months, learned court below shall cancel the bail bonds of the petitioners immediately thereafter.

(Arvind Srivastava, J)

Prakash Narayan /-

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