

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2999 of 2020

Arising Out of PS. Case No.-78 Year-2019 Thana- SUIYA District- Banka

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1. PAREMESHWAR YADAV, aged about 36 years (Male), S/o Dhanraj Yadav, resident of village- Sikardih, P.S.- Jhajha, District- Jamui.
 2. Jitendra Kumar, aged about 35 years (Male), S/o Late Jagdish Yadav, resident of village- Bajra, P.S.- Belhar, District- Banka.

... .. Petitioners

Versus

1. The State of Bihar.
2. B.M.M.C. Patna, Bihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Suiya P.S. Case No.78 of 2019, registered for the offence under Sections 379 and 411 of the Indian Penal Code, BMMC Rule, 1972 amended 2014 Section 40(a), 8(B) of B.M. (PIMT & S) Rule, 2003 and Section 15 of the Environmental Protection Act, 1986.

The petitioner no.1 is the driver and petitioner no.2 is the owner-cum-driver of the tractors, which were found loaded with illegal sand.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent.



Considering the entire facts and circumstance of the case, let the petitioners, above named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, 1st, Banka, in connection with Suiya P.S. Case No.78 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that if the petitioners would be found involved in similar type of action in future, the prosecution will be at liberty to make prayer for cancellation of bail of the petitioners.

(Shivaji Pandey, J)

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