

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4351 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- LAXMIPUR District- Jamui

1. SIGHO YADAV @ SIGHESHWAR YADAV SON OF LATE DEBU YADAV R/O VILLAGE- DOMAMARHAR, P.S.- LAXMIPUR, DISTRICT- JAMUI
2. BRAHMDEV YADAV SON OF LAUGI YADAV @ LONNGI YADAV R/O VILLAGE- DOMAMARHAR, P.S.- LAXMIPUR, DISTRICT- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioners and
learned APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Laxmipur P.S. Case No. 268 of 2021 registered under Sections 147, 148, 149, 151, 152, 188, 332, 333, 337, 338, 353, 269, 270, 379, 411 of the Indian Penal Code, $\frac{3}{4}$ of the Epidemic Act, 1987 & Sections-11/43/56 of the Bihar Minerals Prevention of Illegal Mining Transportation & Storage Rule, 2019, & Sections-4/21 of the MMDR Rule, 1957 & Section 40 of the Bihar Minerals



Concession Rule, 1972 & Section 15 of the Forest & Environment Protection Act, 1986.

Allegedly, one tractor loaded with sand, procured by illegal mining, was seized.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. A tractor loaded with sand procured by illegal mining is said to have been recovered by the police. It is further submitted that the petitioners had no knowledge that the said sand has been procured through illegal means. The petitioner No. 1 is said to be owner whereas the petitioner No. 2 is said to be driver of the tractor in question.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of Sri A. K.



Raj, learned Judicial Magistrate-Ist Class, Jamui in connection with Laxmipur P.S. Case No. 268 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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