

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12296 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- PAUTHU District- Aurangabad

1. Kameshwar Yadav Son Of Satu Yadav R/O - Itar, P.S.- Pauthu, District- Aurangabad, Bihar
2. Pramod Kumar Son Of Kameshwar Yadav R/O - Itar, P.S.- Pauthu, District- Aurangabad, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar- Sr. Advocate
Mr. Subodh Kumar Barnwal- Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned senior counsel for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code, Sections 4 and 21 of the Mines and Minerals (Development and Regulation) Act and Sections 11, 43 and 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules.

The learned senior counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant (Mines Inspector) alleges that on 27.12.2021, he along with his police force raided a place located west of Temura village near a bridge and recovered three tractors laden with sand. It is next alleged



that about 250 CFT of sand was laden on the three tractors, which was seized causing loss to the government revenue of Rs.30,375/- per tractor.

The learned senior counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that petitioners had a valid legal permit as would be evident from Annexure-2. It is also submitted that petitioners have already paid Rs.30,375/- which is alleged to be the loss of the government per tractor.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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 Pauthu P. S. Case No.84 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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