

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42702 of 2021

Arising Out of PS. Case No.-243 Year-2020 Thana- SANGRAMPUR District- Munger

1. DILIP YADAV Son of Sadhu Yadav Resident of Village - Koraji, Madhodih, P.S.- Tarapur, Distt.- Munger.
2. Md. Raju Son of Nayajul Resident of Village - Koraji Madhodih, P.S.- Tarapur, Distt.- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-06-2022 At the outset, learned counsel for the petitioners submits that during pendency of this bail petition, petitioner no. 1 namely Dilip Yadav has been arrested and as such, this petition, so far as petitioner no. 1 is concerned, has become infructuous.

In view of aforesaid fact, the anticipatory bail petition is dismissed as same has become infructuous, so far as petitioner no. 1 Dilip Yadav is concerned.

The petitioner no. 2 apprehends his arrest in a case registered for the offence under Section 379, 411 of the Indian Penal Code, Section 11, 56 of BMMC Rules 2019 and Section 4, 12 of MM(DR) Act 1957.



As per the F.I.R., petitioner no. 2, who is driver of the seized tractor, which was involved in illegal mining of sand, and on seeing the police party, the driver unloaded the sand in the river and fled away.

It is submitted on behalf of petitioner that the D.T.O. has imposed a fine of Rs. 17,500/-, which he has already deposited and he has got clean antecedent.

Considering the aforesaid facts and circumstances, let petitioner no. 2 namely Md. Raju, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - II, Munger in connection with Sangrampur P.S. Case No. 243 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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