

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50369 of 2021

Arising Out of PS. Case No.-433 Year-2019 Thana- RAJAON District- Banka

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1. BIBHASH YADAV, S/O VIJAY YADAV R/o village- Sikanpur, P.S.- Rajoun, Distt.- Banka
 2. Nirmal Yadav S/o Vijay Prasad R/o village- Sikanpur, P.S.- Rajoun, Distt.- Banka
 3. Mohan Kumar Yadav S/o Sitaram Yadav R/o village- Sikanpur, P.S.- Rajoun, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-01-2022 Heard Mr. Vibhakar Kumar, learned advocate for

the petitioner and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Rajoun P. S. Case No. 433 of 2019, instituted for the offences under Section 8 of the BPIM Rules; Section 40 of BMMC Rule, 1972; Section 21 of the MMDR Act, 1957; and Section 15 of the Environment Protection Act.

Five trucks were intercepted, on which illegally extracted sand was found to be have been loaded. Though



the petitioners have been named in the F.I.R. but without any specific accusation.

It has been urged on behalf of the petitioners that they are neither the owners of the trucks in question nor are involved in illegal extraction of sand or loading the same on such vehicles.

It appears, it has been argued, that the names of the petitioners have been supplied by somebody else to the informant whereafter the subject F.I.R. has been registered.

Regard being had to the afore-stated facts and there being nothing specific against the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Rajoun P. S. Case No. 433 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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