

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1484 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- NASRIGANJ District- Rohtas

1. BRAJESH KUMAR SINGH @ BRAJESH KUMAR @ MANTU SINGH SON OF KAMESHWAR SINGH RESIDENT OF VILLAGE-MAHROD,P.S- NATWAR, ISTRICT-ROHTAS
2. SHESH KUMAR SINGH @ SAHESH KUMAR SINGH SON OF RAM DULAR SINGH RESIDENT OF TEACHER TRAINING MORE,GAMHARIYA,P.S-ADITYAPUR,DISTRICT-JAMSHEDPUR(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-01-2022 This matter has been taken up for hearing online because of COVID – 19 pandemic restrictions.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners are expected to honour their undertaking to remove the defects, as pointed out by the office, when called upon to do so by the office.

The petitioners are apprehending their arrest in connection with Nasirganj P.S. Case No. 118 of 2020 for the offence registered under Sections 379, 411, 420/34 of the Indian Penal Code and Section 56(1), 56(2) of the Bihar Illegal Mining Act and Section 15 of the Environment Protection Act.



The prosecution case as per the First Information Report is that seven trucks has been seized which were alleged to have been engaged in illegal transportation of sands.

Learned counsel for the petitioners submits that petitioner no. 1 is the owner and petitioner no. 2 is the driver of the Truck bearing Registration No. UP67T-2838. They have falsely been implicated in the present case. It is further submitted that both the seizure list witnesses are police constable and the same has not been prepared before the independent witnesses which is the clear violation of the provisions mandated in Section 100 of the Cr. P.C. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest/surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - I, Bikramganj, District Rohtas in connection with Nasirganj P.S. Case 118 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

Jagdish/-

U		T	
---	--	---	--

