

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.114 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- RAJPUR District- Buxar

1. DILSHAD KHAN, OWNER OF THE TRUCK NO. UP-61-AT-4050 S/O MAKBOOL KHAN R/O VILL. SARAY GOVIND SHAHPUR, P.S.- SADIYABAD, DIST.- GAZIPUR U.P.
2. MANOJ YADAV, DRIVER OF THE TRUCK NO. UP-61AT-4050 SON OF RAMADHAR YADAV R/O VILL.- MANIHARI, P.S.- SADIYABAD, DIST.- GAZIPUR U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-08-2022

The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month. He is also directed to make necessary corrections in the bail petition.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 379 and 411 of the Indian Penal Code, 56 of the Bihar Minor Minerals and concession Rule, 2019 and Section 21 of M.M.D.R. Act,1957, registered in connection with Rajpur P.S.Case No. 133 of 2021.

As per allegation, the sand-laden trucks were seized.

The learned counsel for the petitioners has submitted that petitioners are owner and driver of the truck bearing Registration No. UP-61T 4050 and they have deposited the compounding fee of Rs. 54,000/-before the Mining Officer, Buxar on 16.11.2021.

Considering the above facts and circumstances, let the petitioners above-named, in the event of their arrest or



surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S.Case No. 133 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C. **The learned court below shall verify the fact regarding deposit of Rs. 54,000/- in the Mining Office, Buxar and in case it is found that the above mentioned amount has not been deposited, the learned court below shall be at liberty to cancel the bail bond of the petitioners.**

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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