

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45254 of 2023

Arising Out of PS. Case No.-958 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

1. Pramod Kumar Pandey, Son Of Narendra Pandey, Resident Of Village-Kapiyan Nizamat, Ps- Maharajganj, District- Siwan
2. Raju Kumar Yadav, Son Of Bhagwan Yadav, Resident Of Village-Bhikadambh, Ps- Dhraudha, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chapra Mufassil P.S. Case No. 958 of 2022 registered for the offences punishable under Sections 379, 411, 353 of the Indian Penal Code and Section 21 of the MMDR Act, and Section 56 of the Mineral and Concession Prevention of Illegal Mining Transportation and Storage of Minerals Rule 2019 and Section 15 of the Bihar Environment Protection Rule 1986.

3. Allegation against the petitioner no. 1 is that he is the owner of the seized truck bearing Registration No. 29GB-



4631 and petitioner no. 2 is the driver of the aforesaid truck who illegally loaded the truck without receiving challan to sell the stolen sand and the driver on seeing the police fled away from the spot.

4. Learned counsel for the petitioners submits that there is no specific allegation against the petitioners. Petitioners have no criminal antecedent and petitioner no. 1 has already made payment of tax as well as challan. He further submits that similarly situated co-accused persons namely Ramanuj Rai and Om Prakash Singh have already been granted anticipatory bail by coordinate Bench of this Court vide order dated 27.06.2023 passed in Cr. Misc. No. 21935 of 2023.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection



with Chapra Mufassil P.S. Case No. 958 of 2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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