

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53724 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- KUTUMBA District- Aurangabad

1. BABLU KUMAR GUPTA S/o Nanhku Saw R/o village- Kusama Vasadiha, P.S.- Simra, District- Aurangabad
2. Chandan Kumar S/o Ganesh Mehta R/o village- Bahera Bigha, P.S.- Kutumba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 31-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Kutumba P.S. Case No. 127 of 2022, registered for the offences punishable under Sections 379, 411 of the Indian Penal Code and under Section 4/21 of Bihar Mines Developments and Regulation Act and Section 11, 43, 56 of Bihar Minerals concession prevention of illegal Mines Transportation and storage rule.

As per allegation, one tractor of the petitioners, to which petitioner no. 1 is owner and petitioner no. 2 is driver, was intercepted, loaded with illegally mined sand.



The learned counsel for the petitioners has submitted that petitioners are the persons of clean antecedent and the sand loaded on the tractor was for personal use of the petitioners. He has submitted further that the petitioners have already deposited the amount of fine.

Considering the above-mentioned facts and circumstances, especially, the clean antecedent of the petitioners, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, 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 learned Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Kutumba P.S. Case No. 127 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

(Nawneet Kumar Pandey, J)

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