

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.200 of 2023

Arising Out of PS. Case No.-84 Year-2022 Thana- BELDOUR District- Khagaria

ASHOK SHARMA Son of Mahavir Sharma Resident of village - Beldour,
P.S.- Beldour, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 602 of 2023

Arising Out of PS. Case No.-84 Year-2022 Thana- BELDOUR District- Khagaria

AJAY SINGH SON OF SAJAN SINGH R/O VILL.- TARHA WARD NO. 13,
P.S.- SALAKHUA, DISTT.- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 200 of 2023)

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. Shyameshwar Dayal

(In CRIMINAL MISCELLANEOUS No. 602 of 2023)

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 As both these applications arise from the same P.S.

Case No., with consent of parties, they have been heard together

and disposed of by a common order.

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners are apprehending their arrest in a case



registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code and Rules 11 Section 63(1)(ii) of Bihar Mineral Connection Prevention of Illegal Mining Transportation and Storage Rule 19 Rule 4 and Rule 2021, Amendment Act 21(i) (4) MMRD Act, 1957, Environment Protection Act 1986 pending in the learned court below.

As per the prosecution case, four tractors were seized from the spot with 100 cubic feet of the illegal soil on each tractor.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that driver of the vehicle was apprehended on the spot. He submits that petitioners are made accused in the present case because they are the owner of the said seized tractors. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on



furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Beldour P.S. Case No.84/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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