

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36717 of 2024

Arising Out of PS. Case No.-90 Year-2021 Thana- RANIYATALAB District- Patna

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1. Mithlesh Yadav Son Of Late Shiv Ratan Yadav Resident Of Village- Jitan Chhapra, P.S. - Dulhin Bazar, District - Patna. (owner Of Poklen Machine Of Kobelco Company, Green Color, Chassis Sl. No. Yq15b5071)
 2. Ajay Kumar Son Of Vakil Yadav Resident Of Village - Koilabir, Piperdaha, P.S. - Paliganj, District - Patna. (driver Of Poklen Machine Of Kobelco Company, Green Color, Chassis Sl. No. Yq15b5071)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate
For the State : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rani Talab P.S. Case No. 90 of 2021 (G.R. No. 1609 of 2021) instituted under Sections 379/411/420/34 of the Indian Penal Code, MMDR Act, 1957, Rule 21 and Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019- 11/56.

3. It is contended by the petitioners that after the mining was banned, the machines were not moved by the petitioners because they are heavy machines in the expectation that permission of mining will be again granted. It has also been



contended that the petitioners were not found operating or lifting sand without any authorization.

4. Considering the aforesaid facts and also the fact that the petitioners have clean antecedents, this bail application is allowed.

5. Let the petitioners, above named, in the event of their arrest/surrender within four weeks from today in the 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 the learned J.M. 1st Class, Danapur in connection with Rani Talab P.S. Case No. 90 of 2021 (G.R. No. 1609 of 2021), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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