

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45414 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- SANDESH District- Bhojpur

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1. Ram Babu Kumar S/O Nirmal Yadav R/O Village-Sarimpur, P.S.-Sandesh, Distt- Bhojpur
 2. Arjun Kumar S/O Kaariman Yadav R/O Village-Kusre, P.S.-Sandesh, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2024 Heard the parties.

2. The petitioners apprehend their arrest in connection with Sandesh P.S. Case No. 101 of 2024 registered under Sections 379, 411, 414, 120(B) of the Indian Penal Code, Sections 192, 194 of Motor Vehicle Act, Sections 3 and 4 of Prevention of Damage to Public Property Act and Section 15 of Environment Protection Act.

3. It is alleged that petitioner no. 1 is the owner and petitioner no. 2 is the driver of the seized tractor in which illegal sand was loaded.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been



implicated in the present case merely on suspicion. Further submission is that petitioners are not involved in transporting of illegal sand without challan. However, they are ready to deposit Rs. 25,000/- without admitting their guilt.

5. Considering the aforesaid contention made on behalf of the petitioners, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 101 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioners that :-

i. Petitioners shall deposit Rs. 25,000/- (Twenty Five Thousand) in the *Nazarat* and will produce the receipt of the same at the time of furnishing bail-bond in the Court below, failing which, the learned Court below would be at liberty to cancel the bail-bonds.

6. It is made clear that this order has been passed for the purpose of bail without going into the merit of the case, and the payment of aforesaid amount shall be subject to the final



outcome of the case.

(Prabhat Kumar Singh, J)

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