

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56476 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- BARHARA District- Bhojpur

1. Voda Ray @ Boda Rai S/o Prameshwar Ray R/o vill - Vaduchukiya, P.S. - Barahara, Distt. - Bhojpur
2. Omprakash Rai S/o Babu Ram Rai R/o Semra Raipur, P.s. - Barahara, Distt. - Bhojpur
3. Sanoj Kumar S/o Dwarika Ray R/o vill - Raipur Bingawan, P.S. - Doriganj, Distt. - Saran
4. Sonu Kumar S/o Ganga Rai R/o vill - Raipur Bingawan, P.S. - Doriganj, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Krishna, Adv.
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Barahara P.S. Case No. 141 of 2024 registered under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, petitioners no. 1 and 3 are owners of the seized tractors and petitioners no. 2 and 4 are drivers of the said tractors, in which huge quantity of illegal sand were found, and during inspection it was found that petitioners are involved in illegal mining and transportation of



sand.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Petitioners are drivers and owners of the seized tractors. However, without admitting their guilt, petitioners are ready to deposit Rs. 25,000/- each in the office of concerned Mining Department.

5. Considering the aforesaid contention made on behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be enlarged 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Barahara P.S. Case No. 141 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) each in the office of concerned Mining Department and will produce the receipt of the same at the time of furnishing bail-bonds 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 without going into the merit of the case, this order has been passed for the purpose of bail and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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