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- Petitioner/s

The State of Bihar

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For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Amrendra Prasad(APP)

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3 03-02-2016 It appears, vide order dated 21.09.2015, name of
petitioner no. 4, Basant Yadav @ Neeraj Kumar @ Basant Kumar
has been deleted from the array of parties, as he died in a road
accident.

Petitioner nos. 1 to 3 apprehend their arrest in connection with Rajauli P.S. Case No. 170 of 2015 registered for offences punishable under Sections 379, 287 and 414 of the Indian Penal Code and Section 40 of the Bihar Minor Mineral Concession Rules, 1972 and Section 8 of the Bihar Mineral

(Illegal Mining, Transportation Storage, Disposal) Rules, 2003.

The prosecution case, in short, is that Sri Anand Prakash Singh informed the informant that illegal mining for earning illegal profit is being done at village Bauri Kala by the accused persons. On receiving the information, police arrived at village Bauri Kala where police found that several machines were installed for illegal mining. On seeing the police, accused persons fled away from the place of illegal mining. It is further alleged that at 11:00 A.M., an information was received that accused persons are destroying and removing all the papers relating to illegal mining. On information, police reached there and seized several incriminating articles, as mentioned in the seizure list.

It has been submitted by the counsel for the petitioners that they have no criminal antecedent, as is evident from paragraph 3 of this petition. It has further been submitted that petitioners are own brothers and the seizure list nos. 2 and 3 do not specify any overt act committed by these petitioners.

On the other hand, learned A.P.P. submits that the petitioners are named in the First Information Report.

Be that as it may, let the petitioner nos. 1 to 3, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from today be released on bail

on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 170 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

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