

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50678 of 2016

Arising Out of PS.Case No. -101 Year- 2016 Thana -SAHKUND District- BHAGALPUR

- =====
1. Devanand Mahto son of Girish Mandal
 2. Jhappu Jha @ Jhabbu Jha son of Ganpat Paswan
 3. Kanhai Paswan S/o Ganpat Paswan
 4. Sanjay Mahaldar son of Gudo Mahaldar, all resident of Village-Kamalpuri, P.S. Shahkuns (Sajour), District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 379 of the Indian Penal Code and 40 of Bihar Minor Mineral Concession Rule 1972 and 6/8 of Bihar Mineral (Prevention of Illegal Mining Transportation and Storage) Rule 2003.

Allegation against petitioners is that they were dumping and selling sand illegally.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioners. They have been made accused due to mistake of fact. Petitioners do not claim the sand-lying which is said to have been recovered. They have got no concern with the same.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur, in connection with Shahkund (Sajour) P.S. Case no. 101/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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