

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27436 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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1. Bajrangi Yadav Son of Uttam Yadav
2. Pankaj Yadav Son of Budhu Yadav Both Resident of Village- Fatehpur,
P.S. Jagdishpur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners. No one appears on behalf of the State to assist the Court. It appears that no one appears on behalf of the State to assist the Court in almost all the cases listed before this Court. In the absence of assistance from the counsel for the State, the Court is constrained to consider the submission advanced on behalf of the petitioners.

The petitioners are in custody in connection with Jagdishpur P.S. Case No. 72 of 2017 for the offences under Sections 188, 379, 411/34 of the Indian Penal Code, Rule 40 of BAMC Rules and Sections 6 and 8 of the Bihar illegal Mining Transportation Rules.

After perusal of the records the Court finds that



the allegation against the petitioners is only that they were involved in illegal loading of sand from Saidpur Ghat Chanan Nadi. There is statement in para-3 of the petition that the petitioners have no criminal antecedent and, in fact, the petitioners are in jail since 25.3.2017. As the investigation of the case by now has already been completed, there is no point to keep the petitioners in custody.

In the facts and circumstances mentioned above, let the petitioners, above named, be enlarged 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 Chief Judicial Magistrate, Bhagalpur or the successor Court in connection with Jagdishpur P.S. Case No. 72 of 2017, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, tamper with the evidence and influence the witnesses.

(Anil Kumar Upadhyay, J)

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