

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46660 of 2017

Arising Out of PS.Case No. -221 Year- 2017 Thana -DIGHA District- PATNA

- =====
1. Manish Kumar, son of Sudhir Kumar Singh
 2. Mohan Sah @ Mohan Sao, son of Ramsharan Sah, both residents of Kurji Balupar, P.S. Digha, District Patna

.... Petitioners

Versus

1. State of Bihar
 2. The Mining Department, through its Secretary, Govt. of Bihar, Patna
- Opposite Parties
- =====

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Digha P.S. Case No. 221 of 2017 registered for the offences punishable under Sections 420, 467, 468, 379, 471, 120B/34 of the Indian Penal Code and Sections 3/8 of Bihar Minerals (Prevention of Illegal Mining, transportation and storage) Rules, 2003.

Allegation against the petitioners is of carrying truck loaded with sand without having any proper licence.

Submission of learned counsel for the petitioner is petitioner No.1 is student and he has no concern in dealing with sand and he has gone there to give lunch to his father and petitioner No.2 is labourer. Further submission is that nothing has been recovered from their possession and they have no criminal antecedent and they are in custody since 6.8.2017.



Heard learned APP also.

Having heard both sides and in view of facts and circumstances, let petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Patna, in connection with Digha P.S. Case No. 221 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Petitioners will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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