

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7060 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -BAUSI District- PURNIA

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1. MRITUNJAY KUMAR @ MRITUNJAY KUMAR RANA, S/o Manak Prasad Yadav, resident of Bhawanipur, P.S. - Kurthani (Turki), District- Muzaffarpur, at present resident of C/o Raju Kumar, Shahpur Sampat Chak, P.S. – Bye-pass, District – Patna, &
 2. Bhagwan Ray S/o Late J.M. Ray @ Jai Mangal Ray, resident of Tinkonia Good Shed Road, Bardwan, P.S. - Bardwan, District Bardwan (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate with
Mr. D. N. Tiwari, Advocate
Mr. Vijay Anand, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 22-02-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Baisi P.S. Case No.185 of 2016 instituted for the offence under Section(s) 414, 467, 468, 471, 452 Indian Penal Code, Sections 21(1)(2) Mines & Mineral (Development & Regulation) Act, 1957, Section 8 of Bihar Minerals (Prevention of illegal Mining, Transportation and Storage), Rules, 2003.

As per the allegation in the written report, truck bearing registration no.BR 01GC 0172 and others loaded with coal were stopped at Dalkola Check Post and it is alleged that no



valid papers were produced and the truck was loaded with coal worth rupees one lac forty six thousand two hundred sixty five.

It has been submitted by the counsel for the petitioners that as per Section 22 and 23-A of Bihar Mines & Mineral (Development & Regulation) Act, 1957, only complaint can be lodged and the offence is compoundable.

In the aforesaid facts and circumstances of the case, prayer of the petitioners for anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Baisi P.S. Case No.185 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, II, Purnea, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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