

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3245 of 2017

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

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1. Balindar Roy, son of late Saryug Roy, residents of Village/Mohalla-Bhagwanpur, P.S. - Bhagwanpur, District - Muzaffarpur.
 2. Vinod Ray, son of Bilas Ray @ Siya Ram Ray, residents of Village/Mohalla-Bhagwanpur, P.S. - Sadar, District - Muzaffarpur.
 3. Krishna Sahni, son of Lagar Sahni, residents of Village/Mohalla-Aryapur, P.S. - Muzaffarpur, District - Muzaffarpur.
 4. Jay Prakash Singh, Son of Ram Anek Singh, resident of Village/Mohalla-Shahi Meenapur P.S. - Aurai, District - Muzaffarpur.
 5. Sunil Ray, son of Shiv Dev Ray, resident of Village/Mohalla- Bakhari, P.S. - Meenapur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Opposite Party/s : Mr. Sri Satyendra Prasad
For Mines Deptt. ; Mr. Rajendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-03-2017 The petitioners are apprehending their arrest in connection with Baisi P.S. Case No. 185 of 2016, registered for offences punishable under Sections 414, 467, 468, 471, 420 of Indian Penal Code and Section 21(1)(2) of Mines and Mineral (Development & Regulation) Act, 1957.

It has been submitted on behalf of the petitioners that allegation against the petitioners is that they were carrying coal without having valid challan, however now the petitioners have already paid fine amount to the concerned authorities.

Heard learned A.P.P. and learned counsel for the Mines Department. Learned counsel for the Mines Department could not controvert the above submission of learned counsel for the petitioners.



Having heard both sides, in view of the submissions of both sides, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Purnea, District – Purnea, in connection with Baisi P.S. Case No. 185 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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