

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3120 of 2017

Arising Out of PS.Case No. -10 Year- 2015 Thana -RISIUP District- AURANGABAD

- =====
1. Sanjay Singh, Son of Bhim Singh, Resident of Village- Pawaee, P.S. Muffasil, Aurangabad, District- Aurangabad.
 2. Bhola Singh, Son of Shankar Singh, Resident of Village- Boomru, P.S. Risiup, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 31-01-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek anticipatory bail in a case instituted for the offence under Sections 379, 411, 420, 120(B) of the Indian Penal Code, Sections 3, 4 and 5 of Bihar Illegal Mining Act.

It is alleged that on getting information about lifting of illegal sand from the Botone river, the informant seized one tractor without number plate. The informant demanded the paper of the tractor and sand but it was not provided by the driver of the tractor.

It has been submitted on behalf of the petitioners that



the petitioners are not named in the written report. They have neither been described as contractor nor Munshi of the Ghat from where the sand was lifted. It has further been submitted that the owner of the tractor has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 28.7.2015 passed in Cr. Misc. 29518 of 2015.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Risiup P.S. Case No. 10 of 2015, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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