

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32025 of 2017

Arising Out of PS.Case No. -391 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Md. Badalu @ Baghalu son of Masiruddin, resident of Salki
 2. Md. Fayaz Alam @ Md. Faiyaz Alam @ Faiyaz Alam, son of Asgaque Alam resident of Belua
 3. Md. Israil @ Israil , son of Mahmuddin resident of Odra
 4. Abdul Kalam @ Kalam @ Abul Kalam, son of Haji Ahmad Ali resident of Odra,
- All are of P.S. Kishanganj, Distt. Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and the State.

Petitioners are apprehending their arrest in Kishanganj P.S. Case no. 391 of 2016 for the offences registered under Section 379 of the Indian Penal Code and Bihar Minor Mines & Rules 1972, Rule 40, Bihar Mines Rule 2003 and 8.

Allegation against the petitioners is that they have excavated sand without any lawful authority. There is nothing on record to suggest that illegal sand has been seized by the informant. This case has also been registered under Section 379 of the Indian Penal Code and Rule 40 of the Bihar Mines Rules 2003. Petitioner has got no criminal antecedent.

Considering the facts and circumstances of the present



case, let petitioners, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Chief Judicial Magistrate, Kishanganj, in Kishanganj P.S. Case no.391 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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