

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47595 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -KUTUMBA District- AURANGABAD

- =====
1. Rajnish Kumar @ Rajnish Kumar Singh, Son of Rambhaj Singh, R/o Village- Dihiri, P.S.- Kutumba, District- Aurangabad.
 2. Ishwar Dayal Singh, Son of Ambika Singh, R/o Village- Babhandi, P.S.- Rishiap, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 10-10-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kutumba P.S. Case No. 56 of 2017, registered under Sections 406 and 420 of the Indian Penal Code and Section 40 of the Bihar State Mineral Rules, 1972.

The accusation is that in course of checking by the Circle Officer, Kutumba, four brick kilns including the two brick kilns of the petitioners were found running without obtaining 'No Objection Certificate' from the Mines and Minerals Department.

Learned counsel for the petitioners submits that M/S Shakti Bricks Industry and M/S Shivam Bricks Industry were



running by both petitioners on obtaining permission from the office of District Mining Authority vide letter nos. 330 and 332 dated 17.07.2017 respectively, which would appear from annexure 3 series, on depositing the amount for obtaining “No Objection Certificate”, but with ulterior motive the present case has been lodged with false allegation .

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Kutumba P.S. Case No. 56 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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