

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52353 of 2017

Arising Out of PS.Case No. -88 Year- 2012 Thana -KHAIRA District- JAMUI

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1. Bishundeo Sah @ Bishundeo Sao, S/o Late Baijnath Sah @ Baijnath Sao.
 2. Pradip Sah @ Pradip Sao, S/o Sri Arjun Sah @ Arjun Sao, both are resident of Village- Parasi, Police Station- Khaira, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Ram Bachan Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Khaira P.S. Case No. 88 of 2012, registered for the offences punishable under Sections 379 of the Indian Penal Code, Section 4/40 of the B.M.M.C. Rules and under Section 3/4 of Explosive Substance Act

Allegedly, the petitioners and other F.I.R. named accused persons were found indulged in illegal mining of stone and further they used explosive substance also for that purpose.

Submission is of false implication and that the petitioners are labourers of Vijay Kumar in whose name lease of



mining is standing, the petitioners have committed no offence and they have been authorized by Vijay Kumar for the said work, during investigation the independent witnesses have stated that for the last some period the mining work was stopped and the witnesses who have named the petitioners are chain man and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui, in connection with Khaira P.S. Case No. 88 of 2012, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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