

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5164 of 2017

Arising Out of PS.Case No. -52 Year- 2012 Thana -MUNGER MUFFASIL District- MUNGER

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Surendra Singh @ Surendar Singh, Son of Late Gurudayal Singh, Resident of Mohalla- Albart Road, Jamalpur, Police Station- East Colony, District- Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 20-03-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Muffasil P.S. Case no. 52 of 2012, registered under Sections 379, 405, 447, 187, 427, 420, 465, 467 and 120(B) of the Indian Penal Code, Section 4, 40, 7(20)(10) of Bihar Minera and Illegal Mining Transportation Act, 2003 and Section 3/4 of Explosive Substance Act.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Further submission is that it would appear from order dated 07.04.2012 of Collectorate, Munger, which is the basis of the F.I.R. that at the time of inspection, it was found that the lease of mining of the petitioner was expired on 10.02.2012 and in spite of that no arrangement was made for verification of the stock, while direction was given to lease holder to appear along with the



stock register and challan book, but none was present. However, Munsif of the petitioner produced only stock register of two lease, but he failed to produce challan books of both lease. Further submission is that, in fact, the petitioner has falsely been implicated in this case mere on suspicion due to non-availability of the petitioner in time, while his Munsif was present there, but he only produced stock register as the lease of the petitioner for mining was expired till that time.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 52 of 2012, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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