

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4167 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -BAUSI District- PURNIA

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1. Anshu Sharma, wife of Abhayanand Sharma, residents of Village- Pokharia, P.S.-Pokharia, District-Muzaffarpur.
 2. Paras Nath Prasad, son of Ram Chandar Sah, residents of Village- Raxaul Handi Bazar, P.S.- Raxaul, District- East Champaran.
 3. Randhir Kumar Chaudhary, son of Ganga Vishunu Chaudhary, residents of Village- Unsar, P.S.- Bochahan, District- Muzaffarpur.
 4. Ram Karan Sah, Son of Late Satyanarayan Sah, resident of Mohalla- Jhitkahiyan, P.O- M.I.T. P.S.- Brahampura, District- Muzaffarpur.
 5. Md. Nausad Alam, son of late Mahmud Alam, resident of Mohalla- Raghunathpur Denma, P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Adv. Md. Anis Akhtar, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Sharma
For the Mines Department	:	Mr. D.K. Sinha, Sr. Adv. Mr. Rajendra Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-03-2017 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners apprehend arrest in connection with
Baisi P.S. Case No. 185 of 2016 registered under Sections- 414,



467, 468, 471, 420 of the Indian Penal Code, section 21(1)(2) of Mines and Mineral (Development & Regulation) Act, 1957 and section 8 of the Bihar Mines (Prevention of Illegal Mining Transportation & Storage) Rules, 2003.

Learned counsel for the petitioners submits that petitioners are owners of the truck alleged to have been used in illegal mines transportation and they had given it to trading companies for transportation of goods. Petitioners had nothing to do with the business of the trading companies. Similarly situated co-accused persons have been granted bail by this Court vide orders dated 06.03.2017 and 16.03.2017 passed in Cr. Misc. Nos. 4398 of 2017 and 3245 of 2017. Petitioners have no criminal antecedent except petitioner no.4 who was made accused in Kajra P.S. Case No. 126 of 1994 in which he is on bail.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Purnea, in connection with Baisi P.S. Case No. 185 of 2016 subject to



the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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