

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31142 of 2017

Arising Out of PS.Case No. -194 Year- 2017 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

=====

1. Nirmal Yadav, son of late Ramdeo Singh
2. Sanjay Yadav, son of Surendra Singh
Both are R/o village-Gopi Bigha, P.S. -Dehri, District-Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

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

The petitioners apprehend their arrest in connection with Dehri Nagar P.S. Case No. 194 of 2017 instituted for the offences punishable under Sections 147, 148, 353 of the Indian Penal Code and Section 40(1) Bihar Mining Act and Sections 40(1-A), 21(1) D.E. Act and Sections 33, 41 and 42 of the Indian Forest Act.

The informant of this case is S.H.O. of Dehri Nagar Police Station, who has alleged that on 25.03.2017, he visited at Gopi Bigha Crusher Mandi area where he found a large number of crusher machines engaged in illegal mining and crushing the stone chips. The police party seized 23 crush machines and one



diesel engine and lodged the case against 30 persons. It is submitted that there is nothing specific allegation any of the petitioners. The name of these petitioners and other co-accused was disclosed by Chaukidar and local people, but in a written report, he has not mentioned even the name of the person, who disclosed the name of these petitioners. It has further been alleged that 30-40 unknown persons assembled and pelted stones on police party. The police party, however, pacified the matter as they were raising protest against the administration. The allegation of illegal mining and running crusher business is not specific against any of the petitioners. The seizure list which was prepared by the police does not bear signature of any local witness rather it was signed by the police party. The petitioners have clean antecedent.

In the aforesaid facts and circumstances of the case, the anticipatory bail prayer is allowed. The petitioners, above named, in the event of arrest / surrender within four weeks from today, 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 Sub Divisional Judicial Magistrate, Dehri, District-Rohtas in connection with Dehri Nagar P.S. Case No. 194 of 2017, subject to the condition



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

(Sanjay Kumar, J)

ajaypd./-

U		T	
---	--	---	--

