

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27142 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -RAJAULI District- NAWADA

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Sanjay Yadav, son of late Dukhi Yadav, resident of Nawada Basti, P.S.
Jhumri Tilaiya, P.S. Jhumri Tilaiya, District Kodarma in the State of
Jharkhand

.... Petitioner/s

Versus

1. The State of Bihar
2. The Assistant Deputy Director, Mines and Minerals, Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. L.K.Sharma, Advocate
Mr. Prem Shankar Kumar, Advocate
For Opp. Party No.2 : Mr. Rajendra Prasad, Spl. PP, Mines

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 20-07-2017 Heard learned counsels for the petitioner and the

State as well as counsel appearing for the Mines and Mineral

Department.

The petitioner is accused in Rajauli P.S. Case No.

235 of 2016 for the offences under Section 379 of the Indian Penal

Code, Section 40 of the Explosive Substances Act, Section 21 of

the Bihar Mineral Regulation and Development Act and Section 26

of the Indian Forest Act, 1927 and Bihar Forest (Amendment) Act,

1889.

Allegation against the petitioner in the FIR appears to

be involvement in illegal mining in contravention of the provisions

of Indian Forest Act, 1927 and Bihar Mineral Regulation and



Development Act for carrying illegal activities of mining.

It appears from the statements made in para-7 of the petition that the petitioner's name figured on the disclosure of one old man but the said old man, who is alleged to be the witness of the involvement of the petitioner, has not come forward as yet.

In view of the facts and circumstances mentioned above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada or the successor Court in connection with Rajauli P.S. Case No. 235 of 2016, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, tamper with the evidence and influence the witnesses.

(Anil Kumar Upadhyay, J)

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