

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46749 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -SILAW District- NALANDA
(BIHARSHARIFF)

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1. Pawan Manjhi @ Sabhan Manjhi, Son of Bale Manjhi, R/o Village-
Malikpur, P.S.- Rajgir, District- Nalanda.
2. Sanjay Singh @ Sanjay Prasad Singh, Son of Sri Kamta Singh @ Sanjay
Prasad Singh, R/o Village- Bellor, P.S.- Rajgir, District- Nalanda.

.... Petitioners

Versus

1. The State of Bihar
2. Mining Department, Bihar

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Madhuri Kumari
For Mining Department : Mr. Rajendra Prasad
For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-10-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Silao
P.S.Case No. 137 of 2017 registered for the offences punishable
under Section 379 of the Indian Penal Code, Sections 4 to 7 of
Bihar Illegal Transportation & Storage Prevention Rule and
Sections 4/40 of Bihar Mining Concession Act.

Allegation against the petitioners is of carrying illegal
sand in tractor and they were arrested at the spot.

Submission of learned counsel for the petitioners is that
they have falsely been implicated in this case and they are in
custody for two months having no criminal antecedent.

Heard learned APP and learned counsel for the Mines
Department. They have opposed the prayer for bail.

Having heard both sides and in view of the fact that



petitioners have no criminal antecedent, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Nalanda at Biharsharif, in connection with Silao P.S.Case No. 137 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties in the jurisdiction of court concerned,
- (2) Petitioners shall co-operate in trial and appear on each and every date fixed in court and failure to appear on two consecutive dates without any genuine reason or without permission of court, their bail bonds shall be liable to be cancelled,
- (3) If petitioners are involved in such type of cases in future, their bail bonds shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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