

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45732 of 2017

Arising Out of PS.Case No. -227 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Rajesh Ram, Son of Chalitar Ram, R/o Village- Amer Ghat, P.S.- Bidupur, District- Vaishali at Hajipur.
 2. Pheku Rajak Son of Late Khirchandra Rajak, R/o Village- Navanagar, P.S.- Bidupur, District- Vaishali at Hajipur.
 3. Bauaa Singh @ Pankaj Kumar Singh @ Boaa Singh, Son of Nand Kishore Singh, R/o Village- Karmopur Amer, P.S.- Bidupur, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-09-2017

Heard the learned counsel for the petitioners.

The petitioners seek regular bail in connection with Bidupur P.S. Case No. 227 of 2017 for the offences punishable under Sections 379, 411, 420 of the Indian Penal Code, rule 40, 49 of the Bihar Minor Mineral Concession Rule 1972 and Sections 3 and 8 of the Bihar Minerals (Prevention of illegal mining, transportation & Storage) Rule, 2003.

Allegation of the prosecution is that about 20,000 CFt of sand was stored near Aamer Primary school. In such view of the matter, the FIR was lodged against unknown persons. Since sand mining has been banned by the State Government, lot of illegal sand business has been going on in the State. Subsequently, upon suspicion the petitioners and others have been arrested in the present case.



The learned counsel for the petitioners submits that the petitioners have clean antecedent, they are in custody since 01.08.2017 and have been roped in the present case merely on suspicion despite the fact that no recovery has been made from their possession.

Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIV, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 227 of 2017.

It is further directed that the petitioners shall mark their attendance before the concerned Police station on every Monday of the week at 10 A.M. and co-operate in the investigation. Their failure to mark attendance before the concerned police station on two consecutive dates would result in cancellation of their bail bonds and they will be taken in custody forthwith.

(Mohit Kumar Shah, J)

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