

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31369 of 2017

Arising Out of PS.Case No. -88 Year- 2012 Thana -KHAIRA District- JAMUI

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Md. Munna Ansari @ Samasher Ali @ Munna Mia Son of Late Kurban Ali
Resident of Village- Sitmadih, Post Garhi, Police Station- Khaira, District-
Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Shyameshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 19-08-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Khaira P.S. Case No. 88 of 2012 for the offences punishable under section 379 of the I.P.C, sections 4 and 10 of the Bihar Minor Mineral Concession Rules, 1972 and section 3/4 of the Explosive Substance Act.

Allegedly, the petitioner and other FIR named accused persons were found indulged in illegal mining of stone and further they used explosive substance also for that purpose.

Submission is of false implication, the petitioner is Munshi of Vijay Kumar in whose name lease of mining is



standing, the petitioner has committed no offence and he has been authorized by Vijay Kumar for the said work, during investigation the independent witnesses have stated that for the last some period the mining work was stopped and the witnesses who have named the petitioner are chain man.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that vide Annexure-3 the petitioner has been authorized by the lease holder Vijay Kumar to work as Munshi at the site and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Jamui in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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