

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40666 of 2018**

Arising Out of PS. Case No.-149 Year-2018 Thana- ATRI District- Gaya

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1. Nitish Singh @ Bipin Kumar Singh, S/o Pradeep Singh  
2. Arvind Singh S/o Pradeep Singh  
Both are residents of Village - Abhaypur, P.S. Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar  
For the Opposite Party/s : Mr. Sri Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

2      09-07-2018                      Heard learned counsels for the petitioners and the State.

The petitioners, already in custody, seek bail in connection with Atri P.S.Case No. 149 of 2018 registered under Sections 147, 148, 149, 307, 332, 337 and 353 of the Indian penal Code, 27 of the Arms Act, 4 and 21 of the Mines and Minerals (Development and Regulation) Act, 1957, 4 and 40 of the Bihar Minor Mineral Concession Rules, 1972 and 4, 5(A), 5(C), 6 and 8(a) of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003.

Allegation in brief is that at the instance of one Rajiv Kumar, whose wife was contractor and contract was awarded to her for construction of road and they were illegally lifting the morum and stones by the J.C.B. machine and when police intervened and tried to apprehend them, one Yamuna Yadav



opened firing but did not hit anybody and they succeeded in taking away materials with them.

Submission is that there is no specific accusation against the petitioners and as per allegation itself, mining was done at the behest of Rajiv Kumar and no any allegation of assault and firing opened by these petitioners and both have clean antecedent.

Having considered the aforesaid facts and circumstances, petitioners, namely , Nitish Singh @ Bipin Kumar Singh and Arvind Singh, are directed to be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Gaya in connection with Atri P.S. Case No. 149 of 2018.

**(Arun Kumar, J)**

sujit/-

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