

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62866 of 2017

Arising Out of PS.Case No. -542 Year- 2017 Thana -BIHTA District- PATNA

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1. Ghanshyam Purohit, S/o Baldeo Das Purohit, 7/1 Tassel Street , P.S.- Jounpa, Kolkata, (West Bengal).
 2. Niranjana Kumar S/o Ramdeo Roy @ Ram Kumar Singh, R/o Village- Suara Marva, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2018 Heard the learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in connection with Bihta PS case no. 542 of 2017 registered for the offences punishable under Section 379/201/120B/34 of the Indian Penal Code.

The case of the prosecution is that 28 Pocklen machines were recovered belonging to the petitioners which are said to have been used for the purposes of illegal mining of sand.

The learned counsel for the petitioner submits that neither any sand has been recovered nor the said machines have been found to be used for excavating sand and merely on recovery of the said machines the petitioners have been roped in the present



case. The petitioner is said to be the owner of the said machine. It is further submitted that there is no allegation of illegal mining of sand as against the petitioner herein.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks before the concerned court, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur (Patna) in connection with Bihta PS case no. 542 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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