

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.240 of 2018

Arising Out of PS.Case No. -266 Year- 2017 Thana -GHOSI District- JEHANABAD

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1. VENKATESH KUMAR SHARMA @ VENKATESH KUMAR, son of Ravindra Sharma
2. Pawan Kumar @ Sarvesh Kumar, son of Ravindra Sharma, Both resident of Village- Okari, P.S. Ghosi (Okari), District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-01-2018 Heard both sides.

The petitioners apprehend their arrest in Ghosi(Okari) P.S. Case No.266 of 2017 registered under Sections 420, 379, 411 of the Indian Penal Code and Section 40, 26A of the Bihar Minor Mineral Concession Rule, 1972 and Sections 1,2 and 3 of the Bihar Illegal Mining Storage and Transportation Act, 2003 and Section 3 of Prevention of Damage of Public Property Act, 1984.

Two hywah trucks were intercepted by police and it is alleged that the petitioner Venkatesh Kumar Sharma was owner of both hywah trucks. It also transpired that Pawan Kumar sent the loaded sand in the morning.

The learned counsel for the petitioners submits that



Dharmendra Kumar and Rakesh Kumar have already been granted anticipatory bail. The case of the petitioners stands on the same footing. The prayer for anticipatory bail of the petitioners have been rejected only on the ground that the petitioners have got similar case but in fact, within one week, the police lodged all the cases making same and similar allegation.

Considering the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad in connection with Ghosi(Okari) P.S. Case No.266 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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