

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25839 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Ajay Kumar Singh, S/o Nagendra Singh, R/o Vill.- Rajpur, P.S.- Sangrampur, District- East Champaran.
2. Rajul S/o Adalat, R/o Vill.- Jalahan, P.S.- Sangrampur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2018 The petitioners are apprehending their arrest in connection with Sangrampur P.S. Case No. 36 of 2018 registered for offences punishable under Section 379 of the Indian Penal Code and Section 40 of Bihar Mines and Minerals Rules, 1972.

Allegation against the petitioners is of committing theft of sand without having proper licence and valid challan.

It has been submitted on behalf of the petitioners that prosecution case is false and concocted. In fact, petitioners were carrying soil from their field and in the meantime, tractor was intercepted with trailer and they had been made accused in this case. Petitioners have no criminal antecedent.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that petitioners have no criminal antecedent and only general and omnibus allegation has been levelled against them, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-XIV, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 36/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make them available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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