

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48960 of 2017

Arising Out of PS.Case No. -299 Year- 2017 Thana -DEHRI TOWN District- SASARAM (ROHTAS)

1. Ramashish Singh, S/o Chhathu Dingh,
2. Janeshwar Singh, S/o Chhathu Singh, Both R/o Village- Gopi Bigha, P.S.- Dehari (Town), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 10-01-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Dehri (T) P.S.Case No. 299 of 2017 registered under Sections 147, 148, 353 and 427 of the Indian Penal Code and Section 40 (1) of Bihar Mining Act and Sections 40 (1-A), 21 (1) of Development of Exchange Act and Sections 33, 41 and 42 of Bihar Forest Act.

The accusation is that on receiving the secret informant about illegal business of mining of stone chips at Gopi Bigha Keshar Mandi, the informant along with other police



officials reached there and found two tractors, one J.C.B. Machine, Crusher machine and an old generator machine engaged in crushing the stone and seizure list was prepared regarding the same and the person present there disclosed the name of 37 persons including the petitioners, engaged in the illegal mining of stone and preparing stone chips.

Learned counsel appearing on behalf of the petitioners submits that the petitioners, have no criminal antecedents and they have been falsely implicated in the case on mere suspicion. Further submission is that tractor, generator, J.C.B. Machine, Crusher machine seized by the informant does not belong to the petitioners. In fact, Nagendra Singh, son of the petitioner No. 1 was running the business of stone chips but he further stopped the business in the year, 2015 after seizing of crusher machine etc. Due to this reasons, the petitioners have falsely been implicated in this case.

Having regard the facts and circumstances, and the submission of learned Counsel for the petitioners, let the petitioners in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Dehri



(T) P. S. Case No. 299 of 2017 to the satisfaction of learned sub
Divisional Judicial Magistrate, Dehri, District- Rohtas, subject to
condition as laid down under Sections 438 (2) of the Cr. P. C.

(Rajendra Kumar Mishra, J)

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