

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3157 of 2018

Arising Out of PS. Case No.-219 Year-2017 Thana- BARUN District- Aurangabad

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1. Baban Singh son of Late Tulsi Singh resident of village Jangi Bigha, Karma, P.S.Narari Kala, District Aurangabad.
 2. Ranjan Gupta son of Tarkeshwar Gupta, Resident of Village Barun Khemda, P.S.Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 16-01-2018 Heard both sides.

Petitioners apprehend their arrest in connection with Barun P.S. Case No. 291 of 2017, registered under Sections 379, 411, 420, 120-B/34 of the IPC and Sections 3,4, and 5 of the Bihar Minings (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003

The S.H.O. raided the spot and found illegal sand mining was going on and stored near the glass factory. It was revealed that the labourers were called in by the petitioners for such



illegal mining.

Learned counsel submits that the petitioner no.1 has agricultural land adjacent to the place of occurrence whereas petitioner no.2 has a line hotel. They have falsely been implicated in this case. However, for securing the privilege of anticipatory bail, they are ready and willing to deposit some amounts as directed by the Court.

Considering the aforesaid submissions, let the petitioners, named above, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released 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 the learned C.J.M. Aurangabad, in connection with Barun P. S. Case No. 219 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:-

(i) One of the bailors in each case shall be the own/close family members of the petitioners.

(ii) Along with the bail bonds each petitioner shall produce receipt showing deposit of a sum of Rs. 4,000/- (Four thousand) with the local officer of the Mining Department and/or in the Nazarat of the Civil Court. It is clarified that



deposit so made shall be without prejudice to the right and
contention of the petitioners in the case.

(Kishore Kumar Mandal, J)

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