

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9153 of 2018

Arising Out of PS.Case No. -306 Year- 2017 Thana -NOKHA District- SASARAM (ROHTAS)

- =====
1. Santosh Kumar Sah, son of Jagropan Sah, Resident of Village- Kharhi, P.S.- Nokha, District- Rohtas.
 2. Raju Ram, son of Jamuna Ram, Resident of Village- Khairaha, P.S.- Nokha, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Singh, Advocate

For the Opposite Party/s : Mr. Asharaf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Nokha P.S. Case No.306 of 2017 registered under Sections 379 and 411 of the Indian Penal Code as well as Section 40(1) of the Bihar Mines and Minerals Act.

It is submitted by the learned counsel for the petitioners that the ingredients of the offences alleged under Penal Code are not attracted to the facts of the present of the case. It is further submitted that the petitioner being owner and driver of the vehicle bearing registration no.BR24G/4220 were carrying sand on the basis of valid document. There is no truth behind the allegation



that they were carrying illegally mined sand.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Nokha P.S. Case No.306 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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