

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7548 of 2018

Arising Out of PS.Case No. -95 Year- 2017 Thana -MANPUR District- NALANDA
(BIHARSHARIFF)

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1. Dayanand Mahto S/o Late Lakho Mahto, R/o Rahicha, P.S.- Sheikhpura Saray, District- Sekhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-04-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Manpur P.S. Case No. 95 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 353, 332, 333, 504 and 506 of the Indian Penal, Sections 4/40 of the Bihar Mineral Act, 1972 and Section 8(d) of the Bihar Mineral Rules, 2003.

The allegation is regarding the accused persons indulging in illegal mining and when the Police personnel had reached at the place of occurrence and were trying to stop the illegal mining, the accused persons had assaulted the Police personnel and also had fired on them.



The learned counsel for the petitioner submits that as far as the petitioner herein is concerned, no allegation of any sort of overt act has been levelled and in fact he has been implicated in the present case at the behest of the Chaukidar of the village. The petitioner is said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail in the event of his 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 on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Nalanda at Bihar Sharif in connection with Manpur P.S. Case No. 95 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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