

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7301 of 2018

Arising Out of PS. Case No.-230 Year-2017 Thana- MUFFASIL District- Aurangabad

1. Sikandar Kumar, Son of Late Munarik Ram, Resident of Village- Sahanthua, P.S. Risiup, District- Aurangabad.
2. Gauri Shankar Kumar, Son of Ramashish Ram, Resident of Village- Sanathua, P.S. Risiup, District- Aurangabad.
3. Manoj Kumar, Son of Rambilash Singh, Resident of Village- Bhartipur, P.S. Pauthu, District- Aurangabad.
4. Ganesh Yadav, Son of Ram Narayan Yadav, Resident of Village- Kanap, P.S. Daudnagar, 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 : Sri Manoj Kumar – 1, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-02-2018 Heard Shri Sanjay Kumar, learned counsel for the petitioners and Shri Manoj Kumar No. 1, learned Additional Public Prosecutor.

Four petitioners, apprehending their arrest in connection with Aurangabad Muffasil P.S. Case No. 230 of 2017, registered for the offence under Section 379, 411 of the Indian Penal Code , 1860 and Section 40 of the Bihar Minor Minerals Concessions Rules, 1972 , have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that petitioners on an accusation of illegal mining of sand have



falsely been made accused. It has also been argued that main offence in the present case is under Bihar Minor Minerals Concession Rules, 1972 and the same is bailable and ornamentally Section 379 of the I.P.C. has been incorporated in the FIR.

Besides hearing, I have also perused the materials available on record. I am of the view that it is a fit case for extending the privilege of anticipatory bail. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the aforesaid four petitioners namely : (1) Sikandar Kumar (2) Gauri Shankar Kumar (3) Manoj Kumar (4) Ganesh Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad / concerned court in connection with Aurangabad Muffasil P.S. Case No. 230 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

praful/-

U		T	
---	--	---	--

