

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48247 of 2018

Arising Out of PS. Case No.-328 Year-2017 Thana- SHAHKUND District- Bhagalpur

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1. Ram Ekbal Bhagat, Son of Late Rameshwar Bhagat, Resident of Village- Shiv Shankarpur (Shahkund), Police Station- Shahkund, District- Bhagalpur.
 2. Gautam Yadav, Son of Mahesh Yadav, Resident of Village- Shahkund, Police Station- Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda
For the Opposite Party/s : Mr. Sri Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek Anticipatory bail in connection with Shahkund P.S. Case No. 328 of 2017 registered under Section 379 of the Indian Penal Code and Section 40(iv)(v) & (viii) of the B.M.M.C. Rules, 1972 and Section 14 Sub Rule 6(4) and 5(a)(b)(c) of Bihar Minerals (Prevention of Illegal Mineral Transportation & Storage) Rule-2003.

Allegation against petitioners is of illegal mining from the Raiyati land without obtaining licence from the Mines Department.

It has been submitted on behalf of the petitioners



that they have been falsely implicated. Accusation is vague and unspecific. petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released 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 S.D.J.M., Bhagalpur, in connection with Shahkund P.S. Case No. 328 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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