

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29127 of 2018

Arising Out of PS.Case No. -68 Year- 2018 Thana -NABINAGAR District- AURANGABAD

- =====
1. Sanjay Singh, S/o Manika Singh, R/o Vill.- Jobey, P.S. + P.O.-
Nabinagar, District- Aurangabad.
2. Vijay Kumar Singh S/o Mundrika Prasad Singh, R/o Vill.- Baluara, P.O.-
Nouar, P.S.- Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

- 2 10-05-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek pre-arrest bail in connection with
Nabinagar P.S. Case No.68 of 2018 registered for the offences
under Sections 379, 420 of I.P.C. , 4(i)(A) of M.M.D.R. Act and
26(A), 27, 40 of B.M.M.C. Rules.

Accusation is that both the petitioners being the
proprietors of Kamal Int Udyog and Baba Int Udyog are running
brick kilns without parting with ownership fee for the financial
year 2015-16 and 2016-17.

Learned counsel appearing on behalf of the petitioners
submits that, admittedly, both the petitioners are proprietors of



Kamal Int Udyog and Baba Int Udyog respectively and allegation is of running brick kiln without depositing the amount of ownership fee. It is further submitted that, in fact, the letter No.201 dated 15.03.2018 shows that petitioner no.1 has already parted with the said amount with the Mines Department Aurangabad and, accordingly, he has requested for withdrawal of the F.I.R. and likewise the petitioner no.2 has already deposited the said amount and vide the letter dated 14.3.2018 the informant has informed the Officer-in-charge to withdraw the F.I.R. which appears from Annexures – 2 and 2/A respectively.

Having considered the facts and the circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within six weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Aurangabad, in Nabinagar P.S. Case No.68 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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