

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21021 of 2019

Arising Out of PS. Case No.-254 Year-2018 Thana- RAMNAGAR District- West Champaran

1. Shamshad Alam, Son of Abdul Hussain R/o village- Dumaria, Thakurganj, P.S.- Kishanganj, Distt.- Kishanganj
2. Raushan Kumar Raut Son of Late Bindeshwar Raut R/o village- Damodarpur, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mining Development Officer, Bettiah, District- West Champaran at Bettiah Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail, arises out of Ramnagar Police Station Case No. 254 of 2018, disclosing offences punishable under Section 379 of the Indian Penal Code, 1860, Rule 40(4), (5), (7), (8) of the Bihar Minor Minerals Concession Rules, 1972, Rule 3, 4, 6 and 8 of the Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2003, Rule 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 15 of the Environmental Protection Act, 1986.

Considering an order of this Court dated 10.01.2019,



passed in Criminal Misc. No. 77405 of 2018, whereby in similar circumstance co-accused Rohit Kumar, has been granted anticipatory bail, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran at Bettiah in connection with Ramnagar Police Station Case No. 254 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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