

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21999 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- ROHTAS District- Rohtas

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YOGENDRA PRASAD @JOGENDRA PASWAN Son of Late Baban Ram
Resident of Village- Chitauli, P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mining Officer, Mines Department, Rohtas, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh
For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 379, 411, 34 of the Indian Penal Code, Section 4/40 of Mines and Mineral Act, 1972 and Sections 3, 6 and 8 of Bihar Mines and Minerals Transportation Act, 2003.

The prosecution case in short is that the accused persons were involved in illegal mining and carrying mining activity illegally.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.1.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has



falsely been implicated in the present case. The petitioner has been made accused due to mistake of fact. The allegations made in the F.I.R. is denied. There is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri in connection with Rohtas P.S. Case No. 17/2019.

(Sudhir Singh, J)

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