

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26788 of 2019

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

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1. AMARJEET KUMAR @ AMARJEET YADAV Son of Jairam Singh, Resident of Village - Mirjapur, P.S.- Tilauthu, District - Rohtas.
 2. Birendra Yadav @ Ravi Kumar Son of Suraj Yadav, Resident of Village - Baknaura, P.S. and District - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Mining Officer, Rohtas, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Kumar Singh
For the Opposite Party/s :	Mr.Anand Kishore Choudhary
	Mr. Naresh Dikshit
	Kalpana

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Rohtas P.S. Case No. 17 of 2019 registered for offence punishable under sections 379/411/34 of the Indian Penal Code, 3, 6 and 8 of Bihar Mines and Minerals Transportation Act and 4/40 of Mines and Minerals Act, 1972.

Allegation is of illegal mining and trafficking of sand. The police recovered tractor loaded with illegal sand. The petitioner does not have any criminal antecedent as has been mentioned in paragraph 3 of this application.



Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Rohtas in connection with Rohtas P.S. Case No. 17 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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