

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49151 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- BARUN District- Aurangabad

1. Shubham Kumar, an adult male, aged about 19 years, Son of Sri Surendra Singh Resident of Village - Barun Ganj, Barun, P.S.- Barun, dist.- Aurangabad (Bihar)
2. Govind Kumar Singh @ Chiku Kumar, an adult male, aged about 30 years, Son of Sri Satendra Singh Resident of Village - Tole Govardhan Bigha, Barun Ganj, Barun, P.S.- Barun, dist.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Tiwary
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Barun P.S. Case No. 86 of 2019 registered for offences under sections 307, 323, 353, 333, 379, 420, 411, 504, 506, 427, 341, 147, 149 and 186 of the Indian Penal Code and Section 4 & 40 of the Bihar Minor Mineral Concession Rules and Section 15 of the Environment Protection Act.

In the present case, the allegation has been made against the petitioners of illegal mining of sand and its transportation.



Learned counsel for the petitioners submits that the petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present application.

Looking to the entire facts and circumstances of the case as also the petitioners having no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 86 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioners and if it is found that the petitioners have clean antecedent, their bail bond will be accepted but, if it is found that the petitioners are involved in any other case



before filing of the present case i.e. 5.8.2019, then they would
not be released.

(Shivaji Pandey, J)

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