

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.50417 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- TEKARI District- Gaya

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1. UPNED SINGH @ UPNEDH SINGH, aged about 29 years (M), Son of Indrajeet Singh, Resident of Village - Bikhampur, P.S.-Chauru, District-Rohtas (Bhojpur).
 2. Basaban Singh @ Basavan Singh, age about 43 years (M), Son of Ramswaroop Singh, Resident of Village-Bhelai Milki, P.S.-Udwantnagar, District-Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
Ms. Patla Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Tekari P.S. Case No. 183 of 2019, registered for the offence under Sections 379 and 411 of the Indian Penal Code, under Section 15 of the E.P. Act, under Section 4/21 of the MM(DR) Act, under Sections 4/40 of the BMMC Rules, 1972 and Rule-6, Sub Rules 4/5(a), 5(c) and 8(a) of the Bihar Mineral Prevention of Illegal Mining Transportation and Storage Rules, 2003.

Allegation has been made against the petitioners that they are involved in illegal lifting and transporting of the stone chips.



Learned counsel for the petitioners submits that the petitioners have no criminal antecedent and they have wrongly been implicated in this case.

Looking to the entire facts and circumstances of the case and also the fact the petitioners have no criminal antecedent, let the above-named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VI, Gaya, in connection with Tekari P.S. Case no. 183 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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