

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16004 of 2022

Arising Out of PS. Case No.-477 Year-2020 Thana- JAMUI District- Jamui

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1. ARUN YADAV @ ARUN KUMAR YADAV SON OF BAHADUR KUMAR YADAV @ BADRA YADAV Resident of Village- Manjhway, Police Station- Jamui, District- Jamui.
 2. SHARVAN KUMAR @ SHARVAN KUMAR MAHTO SON OF CHETU MAHTO @ CHATRU YADAV Resident of Village- Manjhway, Police Station- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocatet
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Jamui P.S. Case No. 477 of 2020 registered under Sections 147, 379, 411, 427, 188, 271(H), 353, 504, 506 of the Indian Penal Code and under Sections-11(1), 39(1), 43, 56(1) of Bihar Mineral (Concession Prevention of Illegal Mining, Transportation and Storage) Rules, 2019.

Prosecution case in short is that when the police reached at



the place of occurrence to stop illegal mining of sand, stone pelting was done on police party.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. Stone pelting is alleged to have taken place by the mob when the police tried to stop illegal mining of sand. The names of the petitioners have transpired in this case on the basis of disclosure made by local residents. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. Altogether 33 named persons are named in the FIR.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S.



Case No. 477 of 2020 subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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