

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27068 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- PALIGANJ District- Patna

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1. Ranjit Kumar S/O Sukhu Singh
 2. Santosh Kumar @ Bablu S/O Vijay Singh
 3. Laden Kumar @ Dhananjay S/O Vijay Singh
 4. Pawan Kumar @ Bhim Kumar S/O Jay Shankar Singh
 5. Raushan Kumar S/O Kamlesh Singh
 6. Dilip Kumar S/O Vijay Singh
 7. Pappu Kumar
 8. Chhotan Kumar both S/O Sidhnath Singh
 9. Satish Kumar S/O Vijay Singh
 10. Ranjay Kumar S/O Late Gulab Singh
 11. Manobal Kumar @ Manobal Singh S/O Gorakh Singh
 12. Vipul Kumar S/O Vishanpad Singh all R/O Village-Masaurha, Police Station-Paliganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Sahi, Sr. Adv.
		Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s	:	Mr. Satya Narayan Sukla, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-02-2022 Learned counsel for the petitioners submits that petitioner no. 3 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to petitioner no. 3.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 3.

Heard learned senior counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of



non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 504, 506, 353, 186, 379, 427 of the Indian Penal Code, Section 11/56 of BM (CPIMTS) Rule 2019, Section 15 of the E.P. Act and Section 3 of Mahamari Act.

As per FIR, all the petitioners were engaged in illegal mining of sand in Masaudh village.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits for the same offence two FIR have been lodged against the petitioners i.e. Paliganj P.S. Case No. 260 of 2020 and Paliganj P.S. Case No. 265 of 2020. He further submits that in Paliganj P.S. case No. 260 of 2020 three petitioners have already been granted bail by a Bench of this Court vide order dated 14.02.2022 passed in Cr. Misc. No. 27753 of 2021. He further submits that petitioner nos. 2, 3, 6 to 12 have no criminal antecedent whereas petitioner nos. 1, 4 and 5 have one criminal antecedent as stated in para-3 of this application.

Petitioners are agreed to deposit a sum of Rs.



20,000.00 (Rupees Twenty Thousand) each in the Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road Patna, bearing Saving Account No. 35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Considering the facts and circumstances of the case, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Paliganj P.S. Case No. 265/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs. 20,000.00 (Rupees Twenty Thousand) each in the Bihar Kishore Nyay Nidhi, Patna.

(Anjani Kumar Sharan, J)

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