

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46655 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- SHIVSAGAR District- Rohtas

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1. KAMLESH KUMAR SINGH S/o HARIYANANDAN SINGH R/o MOHALLA-ADARSH NAGAR MURPA ROAD, KUJU PURVI GIRL SCHOOL, MURPA, P.S-RAMGARH, DISTRICT-RAMGARH, STATE OF JHARKHAND
 2. RAJENDRA YADAV S/o BANDHAN YADAV R/o MOHALLA-UPARTOLA WARD No.1 MADAN GUNDI, P.S-CHANDWARA, DISTRICT-KODERMA STATE OF JHARKHAND

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Virendra Prasad Gupta S/o Late Chirkut Sah R/O - Bhabhua Bazar, Ward No. -10, Chavani, Bhabhua, District - Bhabhua (Kaimur).

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47824 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- SHIVSAGAR District- Rohtas

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1. AMJAD HUSSAIN Son of Shamchammad Resident of Mohalla - Kuju Post Office ke pass Kuju Marpa Kuju, P.S.- Ramgarh, District - Ramgarh State of Jharkhand - 825316.
 2. Ashok Yadav Son of Lakhan Yadav Resident of Barhi, P.S.- Barhi, Deochanda, District - Hazaribagh State of Jharkhand - 825045.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 46655 of 2021)

For the Petitioner/s : Mr.Ajay Kumar Sharma

For the Opposite Party/s : Mr.Umesh Lal Verma

(In CRIMINAL MISCELLANEOUS No. 47824 of 2021)

For the Petitioner/s : Mr.Ajay Kumar Sharma

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2022 Heard learned counsel for the petitioners and learned

APP for the State.



The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sheosagar P.S. Case no. 58 of 2021 instituted for the offence punishable under Sections 414, 419, 420, 467, 468 and 120(B) of the Indian Penal Code.

As per allegation in the FIR, petitioners are involved in black marketing of coal without having valid license.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioner Kamlesh Kumar Singh is owner of the truck bearing registration no. JH-02AT/6016 and petitioner Rahendra Yadav is driver of the said truck. Petitioner Amjad Hussain is driver of another truck bearing registration no. JH-02AZ/7587 and Ashok Yadav is driver of the said truck. Petitioners were having valid licence for transporting the coal but in his absence, the truck was seized by the police. They have no criminal history.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The



petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sheosagar P.S. Case no. 58 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas, Sasaram subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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