

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11333 of 2023**

Arising Out of PS. Case No.-155 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. MUKESH SINGH @ MUKESH KUMAR SINGH Son of Uma Singh R/V-
Maharath P.s- kashichak (Shahpur O.P) Dist- Nawada
 2. Raja Singh @ Abhishek Kumar son of Manoj Singh R/V- Maharath P.s-
kashichak (Shahpur O.P) Dist- Nawada

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 10-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 379 & 411/34 of the Indian Penal Code and 04/2022 MM (DR) Act, 11/43 BM (CPIMTS) Rule-2019 and 56 BM (CPIMTS) Rule-2021

Petitioners are said to be members of a Whatsapp group involved in illegal mining of minerals and its transportation.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to



enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners' named transpired in this case on the confessional statement of apprehended co-accused Ram Kumar, which has no evidentiary value in the eye of law. It is further submitted that petitioners are students and preparing for competitive examination. Similarly situated co-accused have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 04.04.2023 passed in Cr. Misc. No.66454 of 2022. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on 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 bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sheikhopur Sarai P.S. Case No.155 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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