

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14631 of 2023

Arising Out of PS. Case No.-56 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

1. Wakil Singh S/O Late Ram Raj Singh @ Ram Rai Singh Resident Of Village- Leruan, P.S.- Sasaram (M), District- Rohtas.
2. Ram Subhash Singh S/O Late Ram Raj Singh @ Ram Rai Singh Resident Of Village- Leruan, P.S.- Sasaram (M), District- Rohtas.
3. Kameshwar Singh S/O Late Haridwar Singh @ Haridwar Mahto Resident Of Village- Leruan, P.S.- Sasaram (M), District- Rohtas.
4. Vijay Shankar Singh @ Vijay Singh S/O Late Haridwar Singh @ Haridwar Mahto Resident Of Village- Leruan, P.S.- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subash Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 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 379 and 411 of the Indian Penal Code and Section 56 of the Bihar Mines and Minerals Concession (BMMC) Rule, 2019.

As per the prosecution case, the informant alleged that he along with police force after receiving information about storage of illegal sands went to the place when the accused persons escaped. However, two persons were apprehended and a truck and two tractor were seized.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been



falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners have deposited the loss amount to the Mines Department, as enclosed in Annexure-2 of the bail application. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 17.01.2023 passed in Cr. Misc. No. 53047 of 2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

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 Sasaram (Muffasil) P.S. Case No.56 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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