

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71668 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Chandra Shekhar Yadav, Son of Dukhi Yadav, Resident of Village- Rahari, Police Station- Ramgarh, District- Kaimur (Bhabua).
2. Dablu Yadav, Son of Mahendra Yadav, Resident of Village- Rahari, Police Station- Ramgarh, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitin Rousan, Minning Inspector, Kaimur (Bhabua) Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP
For the Mines Depart.	:	Mr. Naresh Dikshit, Spl.P.P. Mines
		Mr. Utsav Anand, JC to Spl.P.P. Mines

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-11-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Ramgarh P.S. Case no. 210 of 2023, registered under sections 420, 379, 411, 467, 468 and 471 of the Indian Penal Code and section 56(i)(ii) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019.

3. As per the prosecution case, the petitioners who were the driver and *khalasi* of the truck in question were found to have loaded illegally mined sand and the *challan* produced by



them was found to be forged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and illiterate persons. They have been falsely implicated in the case. They have no knowledge about the illegality or otherwise of the *challans* given to them by the registered owner of the truck. The petitioners are in custody 20.6.2023 and have no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the Mines Department.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, their being in custody since 20.6.2023, charge-sheet having been submitted in the case and the petitioners not having any criminal antecedent, both the petitioners are directed to be enlarged on bail in connection with Ramgarh P.S. Case no.210 of 2023, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Mohaniya, District-Kaimur.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

