

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19266 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- BUNIYAD GANJ District- Gaya

1. ROHIT KUMAR S/O YUGESH YADAV R/O VILLAE- DAHYARI TOLA, P.S- BUNIYADGANJ, DISTT.- GAYA.
2. ANKIT KUMAR S/O MUGHU YADAV R/O VILLAE- DAHYARI TOLA, P.S- BUNIYADGANJ, DISTT.- GAYA.
3. SANTOSH KUMAR @ SANTOSH KUMAR SAHANI S/O RAJESH KEWAT R/O VILLAGE- JODA MASJID, P.S- BUNIYADGANJ, DISTT.- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP
For the Mines Dept.	:	Mr. Naresh Dikshit, Advocate
		Mr. Utsav Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the Mines Department.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 353, 342, 506, 379 & 411/34 of the Indian Penal Code and Section 21 M.M. (D & R) Act, 1957.

3. The allegation against the petitioners is that they are indulged in illegal excavation of sand and its transporting.

4. 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 by the police. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that from the perusal of the impugned order, it appears that the loss amount has already been deposited in the Department. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that the loss amount has already been deposited by the petitioners, 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 Buniyadganj P.S. Case No.376 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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