

**Rakesh Singh @ Rakesh Kmar and anr. Vs. the State of Bihar**

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**SooperKanoon Citation :** [sooperkanoon.com/974900](http://sooperkanoon.com/974900)

**Court :** Patna

**Decided On :** May-13-2012

**Appellant :** Rakesh Singh @ Rakesh Kmar and anr.

**Respondent :** The State of Bihar

**Judgement :**

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous  
No.42202 o

1. Rakesh Singh @ Rakesh Kumar, son of Rajendra Singh 2. Raju Singh alias Rajeev Nayan Kumar, son of Rajendra Singh. ----- Petitioners. Versus The State Of Bihar --Opposite Party \*\*\*\*\* 02. 13.01.2012 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State. The petitioners, apprehending their arrest in connection with Muffasil P.S. Case No. 223/2011 for offences under Sections 7 and 8 of Bihar Minerals Prevention of Illegal Mining and Transportation and Storage Act Rule 4/40 of B.M.C. Rules, 21(A) of Air Pollution Act 1981 and Section 15 of Environmental (Protection) Act and Section 379 and 406 of the Indian Penal Code, are named accused in this case. submission is that under similarly situated circumstances Manoj Singh and Mukesh Singh have already been granted privilege by a Bench of this Court vide order dated 14.12.2011 passed in Cr. Misc. No. 42540/2011. Considering the facts and circumstances of the case, in the event of their arrest or surrender within a period of four weeks, let the above-named petitioners be enlarged on bail on furnishing bail bond of sum of Rs. 10,000/- (ten thousand only) each with two sureties of the

like amount each to the satisfaction of Chief Judicial Magistrate, Gaya, in connection with Muffasil P.S. Case No. 223/2011, subject to condition under section 438(2) of the Code of Criminal Procedure, and additional condition to attend the court regularly at least for two years or till disposal of the case, whichever is earlier and in the event of failure on two consecutive dates, without any reasonable explanation, the privilege granted shall be deemed to be cancelled. Rajeev/- (Akhilesh Chandra, J.)

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