

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55653 of 2015

Arising Out of PS.Case No. -149 Year- 2015 Thana -BACHWARA District- BEGUSARAI

1. Niranjana Kumar Ray Son of Ram Jinish Ray Proprietor of M/S Bittu Bricks
2. Rajesh Ray son of Sri Ram Bilash Ray Proprietor of M/S Kajal Bricks
Both residents of Village - Rani, P.S. - Bachhwara, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Pradip Nr. Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 21 of Mines and Mineral (Development and Regulation) Act, 1957 and sections 40, 4 and 26(A) of Bihar Minor Mineral Concession Rules, 1972.

The prosecution case is that the informant being Assistant Mining Officer, Begusarai-Khagaria, during enquiry found that the land of the complainant was given by the cousin brother of the complaint to the petitioners who are brick kiln owners for cutting the soil when the petitioners had not taken any licence from the Mining Department for which a Certificate has

been issued for Rs.3,56,400/-.

It is submitted by the learned counsel for the petitioners that the petitioners have deposited royalty of rupees seventy four thousand five hundred before the District Mining Officer, Begusarai-Khagaria.

Considering the nature of accusation, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Begusarai in connection with Bachhwara P.S. Case No. 149 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed only on verification of the fact that the petitioners have deposited the royalty amount before the concerned authority.

(Dinesh Kumar Singh, J)

Anil/-

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