

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40967 of 2015

Arising Out of PS.Case No. -16 Year- 2013 Thana -CHANAN District- LAKHISARAI

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1. Ashok Kumar Singh @ Ashok Singh S/o Late Arjun Singh Resident of
Village Brahampur, P.S. Brahampur, District Buxar, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 06-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case under Section 403, 406, 420 and other sections of the Indian Penal Code, under section 4 and 40 of Bihar Minor Minerals Concession Rule, 1972 and section 4 and 6 of the Bihar Mineral (Prevention of Illegal Mining, Transportation and Storage) Rule, 2003.

The informant intercepted 22 tractors laden with sand and alleged that illegal mining of sand was done in the village Maloi by the side of Kiul river situated in the district of Lakhisarai.

The petitioner is not named in the FIR. It is submitted that the petitioner is agent of one Maha Singh in whose favour the sand situated in the district of Jamui is settled. The petitioner filed

a petition before the Collector and other authorities that the mining of sand was done on the spot situated in the district of Jamui and not situated in the district of Lakhisarai. The spot is settled with Maha Singh. On such enquiry was held. The Amin reported that the spot is falling under the district of Jamui. The police submitted charge sheet against other accused persons without any material. The police filed requisition against the petitioner although there is no material against him.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Lakhisarai in Chanan P.S. Case No. 16 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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