

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48228 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -RAGHOPUR District- SUPAUL

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Birendra Kumar Singh, son of Late Shatrudhna Prasad Singh, resident of
Village + P.O.- Radhanagar, P.S.- Raghopur, District- Supaul.

.... Petitioner

Versus

1. The State of Bihar
2. The Department of Mines and Mineral through its Inspector,
Supaul/Saharsa/Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Amrit Abhijat
For the Opposite Parties : Mr. Sri Rajendra Prasad, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioners and

learned A.P.P. for State.

The petitioners pray for anticipatory bail in
connection with Raghopur P.S. case no. 60 of 2016 registered for
the offences punishable under Section 406 of the Indian Penal
Code and Section 40 of Bihar Minor Mineral Concession Rules,
1972.

It has been submitted on behalf of petitioner that
only allegation against the petitioner is that he had not deposited
royalty for the year 2014-15 and 2015-16 but lateron he has
deposited the royalty for the year 2014-2015 on 01.04.2016 and on
similar grounds, accused Bhupendra Prasad Sah has already been



enlarged on bail by a coordinate Bench of this Court vide order dated 21.09.2016 passed in Cr. Misc. no. 35600 of 2016.

Heard learned Spl. A.P.P. It is submitted that the petitioner has not deposited royalty for the year 2015-16 and it is a revenue loss for the State.

Having heard both sides and in the facts and circumstances stated above, let the abovenamed petitioner, in the event of his arrest or surrender before the Court below within a period of six weeks, be released on provisional bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Birpur, Supaul in connection with Raghopur P.S. case no. 60 of 2016 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that he will deposit the rest royalty for the year 2015-16 within two months. Once the royalty deposited, his provisional bail will be confirmed otherwise the same stands cancelled.

(Vinod Kumar Sinha, J.)

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