

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8180 of 2017

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Raushan Kumar, Son of late Ramnandan Singh, Resident of Village-Chhitnaur, P.S. Matihani, District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary Government of Bihar, Patna
2. Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department, Home (Police), Government of Bihar, Patna.
4. Principal Secretary, Department of Mines, Government of Bihar, Patna.
5. The Director General-cum-Inspector General of Police, Bihar, Patna.
6. Commissioner, Munger Division, Munger
7. Regional Inspector General of Police< Bhagalpur
8. District Magistrate, Begusarai
9. Superintendent of Police, Begusarai
10. The Deputy Superintendent of Police, Begusarai Town, District Begusarai
11. Sub Divisional Officer, Begusarai
12. District Mining Officer, Begusarai null null
13. Anchal Adhikari, Matihani, District Begusarai
14. Officer Incharge, Matihani Police Station, District Begusarai
15. Officer Incharge, Nayagaon Police Station, District Begusarai.

..... Respondents 1st set

16. Ranjan Singh, son of Late Suresh Singh @ Suro Singh, resident of Village Kharampur, PS Matihani, District Begusarai

.... Respondent 2nd Set

..... Respondents
with

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Civil Writ Jurisdiction Case No. 9812 of 2017

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Satendra Kumar, S/o Late Suchidanand Singh Resident of Village - Darveshpur Bagicha, P.S. - Maner, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Mines and Geology, Patna.
3. The D.M. Patna.
4. The S.S.P., Patna.
5. The S.D.O., Danapur, Patna.
6. The S.H.O., Maner, Patna.

.... Respondent/s

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Appearance :

(In CWJC No.8180 of 2017)



For the Petitioner/s : Mr. Krishna Chandra
For the Respondent/s : Mr. Lalit Kishore, AG
For Mines Department : Mr. Rajendra Prasad, Spl.P.P.
(In CWJC No.9812 of 2017)
For the Petitioner/s : Mr. Upendra Kumar Singh
For the Respondent/s : Mr. Lalit Kishore, AG

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-09-2017

Both these writ petitions have been filed in public interest and the grievance made in CWJC No. 8180 of 2017 is with regard to illegal mining of sand from the belt of river Ganga situated in Matihani Block, District Begusarai. Similarly, in CWJC No. 9812 of 21017, the allegation is with regard to illegal mining from the bank of river Ganga in various places between Danapur and Patna.

On notice being issued, counter affidavits have been filed in both the cases and in CWJC No. 8180 of 2017, it is clear that there is no illegal mining of sand. It is indicated that in the river bed no sand is available but there is mixture of mud and sand, soil earth, i.e., known as *Dhus*. However, with regard to allegation made in the said writ petition, it is clear that an enquiry was conducted while referring at Annexure-B series and based on the same an FIR has already been lodged and the police authorities are taking action in the matter. Similarly, with regard to illegal mining



activities alleged in CWJC No. 9812 of 2017 in Patna or particularly near Danapur and various other places, from the counter affidavit filed by the respondents it is seen that more than seven FIRs have been registered and various cases have been lodged as is evident from Annexures-A, B, C, D and E.

As the respondents have already instituted criminal cases, taken action and have also taken into custody certain people, now further direction are required to be issued commanding the civil and police authorities to prosecute the matter based on the FIRs and complaints lodged and ensure that if any illegalities are committed that may be dealt with seriously and the persons responsible punished. Ordered accordingly.

With the aforesaid, the writ petitions stand disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mrl

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.09.2017
Transmission Date	N.A.

