

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25352 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -DIGHA District- PATNA

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1. Sanjay Singh @ Sanjay Kumar, son of Late Indra Prasad Singh, resident of Makhdumpur Digha, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Deptt of Mining, Govt. of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-07-2017 Heard both sides.

The petitioner apprehends his arrest in Digha P.S. Case No. 60 of 2017 registered for the offences punishable under Sections 4 and 40 of the Bihar Minor Mineral Concession Rule 1972 and under Sections 3 and 4 of Bihar Minerals (Prevention of Illegal Mining, Transportation and Storage) Rule 2003.

The informant alleged that some persons are extracting sands from the bed of the river without having license of Mines and Minerals Department, Government of Bihar. The petitioner is said to have collected Rs. 500-1000 from the boat owner.

Learned counsel for the petitioner submits that the



petitioner was not even present at the place of occurrence. The informant made a bald allegation. The petitioner has no manner of concern with the mining of sands.

Sri Rajendra Prasad, learned counsel appearing on behalf of Mines and Minerals Department, Government of Bihar did not dispute the facts.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the 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 learned Sub-Divisional Judicial Magistrate, Patna in Digha P.S. Case No. 60 of 2017, 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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