

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51436 of 2017

Arising Out of PS.Case No. -520 Year- 2017 Thana -BIHTA District- PATNA

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Niranjan Kumar, son of Late Ramdeo Roy, Resident of village-Suara Marva, P.S. Maner, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bihta P.S. Case no. 520 of 2017, registered under Sections 147, 148, 149, 406, 379 and 120-B of the Indian Penal Code and Section 4/21 Mines and Minerals (D&R) Act, Section 4/40 of the Bihar Mines Minerals Concession Rules and Section 8 of the Bihar Minerals and Prevention of Illegal Mining Transportation Rules.

The accusation is that on receiving information about illegal mining in the river, the informant being the Assistant Director Mines Office, Patna along with other Police officials reached on the spot and saw that sand is being extracted illegally and loaded on the boat with the help of Poklen machines. On seeing the Police personnel, drivers of the Poklen machines tried to flee away, but six drivers were apprehended, who disclosed the name of nine other persons, including



the petitioner who indulged in extracting the sand.

Learned counsel for the petitioner submits that the name of petitioner and other 8 persons have been disclosed by the drivers of the Poklen machine, who were apprehended on the spot. Further submission is that similarly situated co-accused, whose name has been disclosed by the drivers of Poklen machine, has already been granted privilege of pre-arrest bail by this Court.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 the ACJM, Danapur, Patna in connection with Bihta P.S. Case No.520 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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