

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52674 of 2017

Arising Out of PS.Case No. -314 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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1. Roshan Yadav @ Roshan Choudhary Son of Shivji Lal @ Shivaji Choudhary, R/o Andhwakol Kharibasti, P.S. and District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379/420 of the Indian Penal Code, Section 40 of the Bihar Mines and Minerals Act, 1972 and Section 8D of the Bihar Minerals Prevention of illegal Mining Transportation and Storage Rule, 2003.

Allegation against the petitioner is that he was involved in unauthorized mining of sand. The allegation is based on the fact that the heap of sand was there on the land of this petitioner.

Submission of the learned counsel for the



petitioner is that on the land by the side of river some one might have kept the sand or during the flood period the whole land filled up with sands.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Kishanganj Police Station Case No. 314 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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