

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8831 of 2018

Arising Out of PS.Case No. -351 Year- 2017 Thana -GHOSI District- JEHANABAD

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Shiv Pujan Yadav, S/o Sakaldeo Yadav, R/o Village- Audan Bigha, P.S.-
Makhdumpur, (Now P.S.- Barabar Paryatan, Vishunganj O.P.), District-
Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Competent Officer, District- Minig Office, Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar
For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Ghosi P.S. Case No. 351 of 2017 registered under Sections 420,
379, 411, 147, 149, 337, 353 and 307 of the Indian Penal Code,

Sections 40 and 26 of the Bihar Minor Mineral Concession Rule
1972 and Section 2, 3 and 4 of the Bihar Illegal Mining
Transportation Shortage Act, 2003.

On receiving the information about illegal mining of

sand, the informant and other police officials reached at Parawan
Sand Ghat, where four tractors attached with trailer, one tractor
without trailer and two motorcycles were seized. While the



persons indulging in illegal mining succeeded to flee away.

Learned counsel for the petitioner submits that petitioner had gone to his land and parked his motorcycle near the river bank, but in the meantime, police reached there and seized his motorcycle along with other vehicles rather he has no concern about the illegal mining of sand. It is further submitted that while the petitioner is accused in Makhdumpur P.S. Case No. 38 of 2012, but on investigation, the police submitted the final report against him.

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 six 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 S.D.J.M., Jehanabad, in connection with Ghosi P.S. Case No. 351 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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