

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17147 of 2018

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

Kamdeo Singh aged about 44 Years S/o Gangadhar Singh, R/o Village-
Bariyarpur, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunit Kumar Srivastava

For the Opposite Party/s : Mr. Sri Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with Bihta P. S. Case No. 520 of 2017 registered for the offences punishable under Sections 147, 148, 149, 406, 379, 379, 120B of the Indian Penal Code, Sections 4/21 MMDR Act and Sections 4/40 Bihar Mines Mineral Concession rules, 1972 and Section 8 of Bihar Minerals and Prevention of illegal Mining Transportation Rules, 2003.

The officials of the Mining Department got information about the illegal mining of sand and on such information, the informant and others went to the place of occurrence and seized 29 Poklan machines and also arrested six



Poklan drivers.

Submission is of false implication and that the petitioner is not named in the first information report, the name of the petitioner has come in the disclosure made by co-accused, one of the Poklan machine is of the petitioner and due to that reason he has been implicated in this case. In this case several other co-accused have been allowed pre-arrest bail by different Benches of this Court and also by this Court and as such the petitioner deserves sympathetic consideration.

Learned APP fairly submits that several other co-accused have been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur 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.

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(Jitendra Mohan Sharma, J)

