

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52708 of 2018

Arising Out of PS. Case No.-145 Year-2018 Thana- BARUN District- Aurangabad

Vivek Kumar Singh S/o Om Prakash Kumar resident of Village- Pahleza,
Police Station- Dehri, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary Mines Department, New Secretariat, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 379, 411, 420/34 of the Indian Penal Code and 4 and 40 of Bihar Minor Mineral Concession Act, 1972 and Section 18 of the Environmental Protection Act.

The prosecution case, in short, is that the on a raid being conducted at the Sand ghats, the accused persons were found indulged in illegal mining and trafficking and on seeing the police, managed to escape.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioner. The case relates to illegal mining of sand. The tractor in question was loaded with sand. The petitioner is alleged to be driver. He has no knowledge regarding the payment of revenue which was to be made to the State. Other co-accuseds have been granted anticipatory bail vide order dated 10.09.2018 passed in Cr. Misc. No. 52426 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 145/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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