

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64663 of 2018

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

Ranjit Kumar, Son of Ram Prasad Singh, Resident of Village- Keshopur, P.S.-
Rafiganj, District- Aurangabad (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 20-12-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Barun P.S. Case
No. 145 of 2018 dated 19.07.2018 instituted under Sections
379/411/420/34 of the Indian Penal Code, Sections 4/40 of the
Bihar Mines and Minerals Concession Rules, 1972 and Section 15
of the Prevention of Pollution Act, 1986.

3. The allegation against the petitioner and five others is
of illegal mining of sand and that on seeing the police, they have
run away leaving behind the tractor and trailer, which was loaded
with sand.

4. Learned counsel for the petitioner submitted that
there is no mentioning as to from which Ghat the tractor and



trailer were seized with sand and further, the petitioner was not present when the said seizure list has been made. Learned counsel further submitted that all the rest co-accused have been granted anticipatory bail by co-ordinate Benches.

5. Learned A.P.P. for the State submitted that the petitioner is the owner cum driver of the tractor and trailer, which was caught with sand and, thus, he was involved in illegal mining. It was submitted that violation of environment laws and illegal mining is a serious threat to the nature and in fact, it is not in public interest that such persons be shown any indulgence as such acts tend to damage the environment which as it is has undergone serious depletion.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

P. Kumar

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