

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51012 of 2019

Arising Out of PS. Case No.-212 Year-2019 Thana- KOILWAR District- Bhojpur

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SARTAJ ALAM @ SONU KHAN @ MD. SARTAZ AHMAD, Gender-Male,
aged about 35 years, Son of Late Abdul Rahman, Resident of Mohalla-
Suraudha Colony, Koilwar, Police Station- Koilwar in the District of Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar
2. The Secretary, Mines and Minerals Concessions Rule Deptt. Bihar, Patna.
Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Koilwar P.S. Case No. 212 of 2019,
registered for the offence under Sections 379 of the Indian Penal
Code, under Section 40(4) of the Bihar Minerals Concession
Rules, 1972, under Section 3 of the Minerals (Prevention of
Illegal Mining Transportation and Storage) Rules, 2003 and
Rule-3 of the E.P. Act.

Allegation has been made that the petitioner has
taken Rs.30,000/- from the driver of the truck for the purposes
of safe passage.



Learned counsel for the petitioner submits that the allegation made against the petitioner is totally concocted one. He further submits that the petitioner had objected the illegal occupation of the land of a Masjid and at the instance of the wife of the petitioner, who is the Up-Pramukh of the Block, the informant had vacated the illegal possession of the said land and in retaliation this false case has been lodged against the petitioner. He further submits that the informant is in habit of lodging the cases against the petitioner to settle the personal score.

Looking to the nature of allegation as also the fact that the petitioner has criminal antecedent, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within three weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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