

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59189 of 2019**

Arising Out of PS. Case No.-201 Year-2019 Thana- KOILWAR District- Bhojpur

RAM BHAJAN BIN Son of Nemu Lal Bin Resident of Village-Gyanpur, P.S-  
Koilarwar, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      19-09-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code, Section 4(40) of Bihar Mineral Concession Rule 1972, Section 3 of Bihar Minerals Prevention of Illegal Mining Transportation and Storage Rule 2003 and Section 15 of Environment Protection Act, 1986, registered in connection with Koilwar P.S. Case No. 201 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with illegal mining and transportation of sand on 20-30 tractors. It is submitted that the petitioner had gone for taking bath in the river on his motor-cycle, which was also seized along with the tractors. It is submitted that he has no



concern with the tractors nor the sand and it is highly improbable that the petitioner would have carried away the sand on his motor-cycle. The petitioner claims clean antecedents.

4. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ixth, Bhojpur in connection with Koilwar P.S. Case No. 201 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reason, his  
bail bond shall be liable to be cancelled by the learned Court  
concerned.

**(Vikash Jain, J)**

HR/-

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