

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66430 of 2019

Arising Out of PS. Case No.-614 Year-2019 Thana- BIHTA District- Patna

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1. SHYAM KISHORE SINGH @ ARBIND SINGH Son of Ram Pravesh Singh Resident of Village - Bindaul, P.S.- Bihta, Distt - Patna.
 2. Deo Kumar Pandey Son of Late Bashishth Pandey Resident of Village - Bindaul, P.S.- Bihta, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Department of Mines and Minerals, Govt. of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 406, 420, 467, 468, 471 of the Indian Penal Code and Section 33, 49, 40 of B.M.M.C. Rules, 1972 registered in connection with Bihta P.S. Case No. 614/2019.

3. It is submitted that the petitioners have been falsely implicated in connection with illegal loading, unloading and stocking of sand, finding that 26,96,100 cubic feet red sand had been stored by the licence holders at Bindoual, but demarcation, sign board and stock register has not been maintained by them in violation of the Rules. It is further submitted that the petitioner has no concern with the sand illegally stored on the land of which he is the owner, but had leased the land to the licence holder M/s Broadson Commodities Pvt. Ltd., in terms of lease deeds dated 27.05.2019 and 24.05.2019 respectively, (pages 24 and 28).

4. Having regard to the nature of accusations and considering the antecedents of the petitioners against whom several



FIRs have been lodged involving serious offences, which suggests that the petitioners are habitual offenders. this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

5. If the petitioners surrender and seek regular bail before the learned Court below the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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