

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62391 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- DHURAIYA District- Banka

PRAMOD SHARMA Son of Arun Prasad Sharma Resident Village - Batsar
(Bazar), P.S.- Dhoriaya, Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsels for the petitioner and the
Vigilance Department.

The petitioner is languishing in custody since 19.8.2019 in a case registered for the offences punishable under Sections 379, 411, 467, 468 and 471 of the I.P.C. and Rule 40 of Bihar Mines and Minerals Concession Rules, 1972, Sections 8(a) and 8(b) of Bihar Minerals (Prevention of Illegal Mining Transportation and Storage) Rules, 2003 and Section 15 of the Environmental Protection Act, 1986.

The prosecution case is that the petitioner being driver of the tractor was intercepted carrying sand illegally. It is further alleged that though the petitioner produced challan in respect of the sand but the same was found fake.

It is submitted by learned counsel for the petitioner that on



bonafide notion that the sand has been loaded by virtue of a valid challan, the petitioner was carrying the sand in question. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the Mining Department submits that illegal mining and transportation of sand have caused huge loss to the public exchequer.

Considering the nature of accusation and the period in custody, let the petitioner above named 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 the learned JM I, Banka in connection with Dhoraiya P.S. Case No.155 of 2019.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

