

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62353 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- KATORIYA District- Banka

CHHAKU MANDAL Son of Sri Sudarshan Mandal @ Sudin Mandal
Resident of Village - Rampur, P.S.- Katoriya, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Mining Officer-cum Competent officer, Banka. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Nityanand

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 21.8.2019 in a case registered for the offences punishable under Sections 379 and 411 of the I.P.C., Sections 4 and 40 of Mines and Mineral(Development and Regulation) Act, 1957 and Rules 4/40 of Bihar Minor Mineral Concession Rules, 1972.

The prosecution case as per the written report of Bipin Prasad Yadav, ASI of Katoriya Police Station is to the effect that on 20.8.2019 at 9.00 A.M., the informant received a secret information that the sand was being illegally transported. Subsequently, raid was laid and a tractor loaded with sand was intercepted but on demand the driver failed to produce any paper.



It is submitted by learned counsel for the petitioner that the petitioner is driver of the tractor in question and the sand was being carried on the instruction of the owner of the tractor 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 has 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 , Banka in connection with Katoriya P.S. Case No.154 of 2019.

(Dinesh Kumar Singh, J)

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