

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25847 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- SUIYA District- Banka

Suresh Roy Son of Late Harihar Roy Resident of Village- Sugarkol, P.S.-
Suiya, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director Bihar Mineral Mining Corruption Department, Bihar, Patna.
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-10-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with
Suiya P.S. Case No. 02 of 2020 for the offence under sections
379, 411, 34 of the Indian Penal Code and 40 IV, V, VIII
BMMC Rule 1972 and 6(4) BNPTS Rule, 2003.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

Allegation against this petitioner is that he was
involved in illegal lifting of sand.

Learned counsel submits that nothing was loaded on
the tractor which was abandoned near the river. He further
submits that there is no document or material to connect the



petitioner in connection with the illegal mining or illegal trade of sand.

Considering the fact that petitioner has no criminal antecedent, the Court is inclined to grant anticipatory bail to the petitioner subject to the condition that the petitioner shall deposit a sum of Rs. 25000/- cash in the court below and on depositing of Rs. 25000/- cash, the court below shall release the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of communication of this order, on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Banka, in connection with Suiya P.S. Case No. 02 of 2020 subject to the condition as laid down under section 438(2) of the Cr.P.C.

The amount of Rs. 25000/- cash deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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