

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72659 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- RAJAON District- Banka

PINTU KUMAR Son of Devan Yadav Resident of Village - Parnathpur, P.S.-
Amarpur, Distirct- Banka.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Adv.
For the Mines	:	Mr. Naresh Dikshit, Spl.P.P.
		Mrs. Kalpana, Adv.
For the State	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 03-02-2020 Heard both sides.

The petitioner apprehends his arrest in Rajoun P.S.
Case No.57 of 2019 registered under Sections 379, 411 of the
Indian Penal Code, Section 8 Bihar Mineral and Prevention of
Illegal Mining Transportation and Storage Rules, 2006
Amended 2014, Section 40 of Bihar Minor Mineral Concession
Rule, 1972 and Section 15 of Forest Act.

The tractors of the petitioner loaded with sand were
seized.

The learned counsel for the petitioner submits that
petitioner was carrying only 150 cft. sand and they are ready to
pay the fine for recovery of 150 cft. sand. Petitioner has no
criminal antecedent.



Taking into consideration the fact that petitioner is ready to deposit the fine assessed by the Mining Department within three months, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka or where case is pending in connection with Rajoun P.S. Case No.57 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioners fail to pay the fine of 150 cft. Sand within three months, learned court below shall cancel the bail bonds of the petitioners immediately thereafter.

(Arvind Srivastava, J)

Prakash Narayan /-

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