

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83160 of 2019**

Arising Out of PS. Case No.-179 Year-2018 Thana- SHAMBHUGANJ District- Banka

MRITUNJAY KUMAR @ BABLU SINGH @ BABLU MANDAL Son of
Surendra Prasad Singh Resident of Village - Karanja, P.S.- Shambhuganj,
Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha

For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 25-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Shambhuganj P.S. Case No. 179 of 2018 (G.R. No. 2735 of 2018), disclosing the offence under Sections 379, 411, 420/34 of the Indian Penal Code and Sections 04/40 of the BMMC Rule, 1972 and Sections 03/06/08 of the PIMPS Rule, 2003.

The Mining Inspector is the informant of the case, who has alleged in the FIR that he found 3000 CFT sand stored adjacent to public road. He has mentioned in the FIR that he learnt upon inquiry that the sand was stored there after having been illegally mined by the petitioner from nearby Barua river.

Learned counsel appearing on behalf of the petitioner has submitted that except vague reference of petitioner's



involvement in illegal mining and storage of sand in question, there is no specific material against him. The petitioner has no criminal antecedent, as stated in paragraph 3 of the application.

Considering the above, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Banka in Shambhuganj P.S. Case No. 179 of 2018 (G.R. No. 2735 of 2018), subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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