

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14917 of 2021**

Arising Out of PS. Case No.-750 Year-2020 Thana- BANKA District- Banka

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1. KUNDAN KUMAR SINGH, aged 27 years (Male), Son of Jai Govind Singh, Resident of Village- Bindi, Police Station- Banka, District- Banka.
  2. RAHUL SINGH @ RAHUL KUMAR SINGH, aged 20 years (Male), Son of Babu Sahab Singh, Resident of Village- Bindi, Police Station- Banka, District- Banka.
  3. CHHOTU SINGH @ CHHOTU KUMAR SINGH, aged 24 years (Male), S/o Nawal Kishore Singh, Resident of Village- Bindi, Police Station- Banka, District- Banka.
  4. BIPUL SINGH, aged 30 years (Male), S/o Ram Govind Singh, Resident of Village- Bindi, Police Station- Banka, District- Banka.
  5. BIKKI SINGH @ VICKY SINGH, aged 35 years (Male), S/o Rajani Singh, Resident of Village- Bindi, Police Station- Banka, District- Banka.
  6. CHANDAN KUMAR SINGH, aged 35 years (Male), S/o Anuj Kumar Singh Resident of Village- Bindi, Police Station- Banka, District- Banka.
  7. KUNDAN KUMAR SINGH, aged 33 years (Male), Son of Arbind Kumar Singh, Resident of Village- Bindi, Police Station- Banka, District- Banka.
  8. NUNU PRASAD SINGH, aged 32 years (Male) Son of Raman Prasad Singh Resident of Village- Bindi, Police Station- Banka, District- Banka.

... .. Petitioners

Versus

1. THE STATE OF BIHAR.
2. The Assistant Director, Mines and Geology Department, Banka. Bihar

... .. Opposite Parties

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**Appearance :**

For the Petitioners : Mr. Ajay Mukherjee, Advocate.  
For the State : Mr. A.G

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-04-2021                      Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned  
A.P.P. for the State through Virtual mode.



The petitioners are apprehending their arrest in a case for the offence registered under Sections 379/411 of the I.P.C., Section 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rule, 2019, Section 21 of MMDR Act, 1957 and Section 15 of the Environment Protection Act, 1986.

The prosecution story, in brief, is that on 13.09.2020, the informant alongwith other officials seized 101.100 Tones sand loaded on a Dumper in illegal way.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners had no knowledge that the sand in question was dumped by way of illegal mining. The petitioners had no intention to commit such offence as alleged in the F.I.R.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of



eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned C.J.M./Successor Court, Banka, in connection with Banka P.S. Case No. 750/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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