

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33759 of 2020

Arising Out of PS. Case No.-31 Year-2002 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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SUDARSHAN SINGH Son of Triveni Singh Resident of Village - Mohaniya,
P.S.- Kargahar, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pandey
For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Section-379 of the Indian Penal Code and Sections
40 and 41 of Bihar Minor Mineral Concession rules.

The prosecution case, in brief is that on 28-05-2002
during an inspection, the petitioner was found storing 25000 CFT of
stone chips at village Amara under P.S. Sasaram. The petitioner was
found running the crusher machine for preparation of the stone
chips.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The stone crusher in question does not belong to the petitioner. He has got no concern with the recovered stone chips in question. The allegation, made in the FIR is denied by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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/concerned court, Sasaram, Rohtas in connection with Official Complaint Case No. 31 of 2002, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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