

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39930 of 2020

Arising Out of PS. Case No.-143 Year-2020 Thana- RANIYATALAB District- Patna

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ABHAY SINGH SON OF SUDAMA SINGH RESIDENT OF VILLAGE -
KAB, P.S. - RANITALAB, DISTRICT – PATNA.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

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Appearance :

For the Petitioner	:	Mr. Sarvan Kumar, Advocate.
For the State	:	Mr. Ashok Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 24/26.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with Ranitalab P.S. Case No.143 of 2020 registered under Sections 379 and 411/34 of the Indian Penal Code besides Sections 11/39/56 of the B.M.M. (Concession, Prevention of Illegal Mining Transportation and Storage) Rule, 2019.

The accusation is of storage of 6210 Cubic Ft. illegal



extracted sand at the plot of the petitioner.

Learned counsel for the petitioner submits that, in fact, after obtaining the Storage License No.23 of 2019 issued on 28.11.2019 by the Assistant Director, District Mining Office, Patna, the petitioner stored the sand at his plot but the stored sand could not be sold due to lock down of COVID-19 and the period of storage of sand expired during that period, hence, the sand was recovered from the plot of the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Praveen Kumar Malviya, Judicial Magistrate, First Class, Danapur, District-Patna, in connection with Ranitalab P.S. Case No.143 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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