

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3706 of 2021**

Arising Out of PS. Case No.-199 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

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ASHOK RAI SON OF LATE RAM KALAM RAI RESIDENT OF  
VILLAGE- JAMIRA, P.S.- ARA MUFFASIL, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mrs.Malti Kumari

For the Opposite Party/s : Mr. C. Jawahar, APP

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

2      07-09-2021                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the Office, within a period  
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case  
registered under Sections 379, 420, 411 of the Indian Penal  
Code, Sections 11/39 of Bihar Minerals (Concession,  
Prevention of illegal Mining Transportation and Storage Rules,  
2019 and section 15 of Environment Protection Act, 1986.

The prosecution allegation, in short, is that the  
accused persons were involved in illegal mining of sand and  
caused loss to exchequer.

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 due to mistake of fact. The petitioner is said to be license holder who is dealing in sand. His license has been renewed. At the instance of the local residents and village politics, the petitioner has been made accused in the present case.

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

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. -VII, Bhojpur, Ara in connection with Ara Muffasil P.S. Case No. 199/20, corresponding to G.R. No. 2909/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection



with the aforesaid case.

**(Sudhir Singh, J)**

Pankaj/-

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