

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8269 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- GANGABRIDGE District- Vaishali

MITHILESH MAHTO @ MITHILESH KUMAR S/o Shyamnandan Mahto
R/o village- Chak Mohammad Chisti, P.S.- Ganga Bridge, Distt.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-08-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner apprehends his arrest in connection with Ganga Bridge P.S. Case No. 224 of 2021, registered for the offences punishable under Sections 379, 411 of the Indian Penal Code and 43, 39(3), 56 of the Bihar Mineral Concession Prevention of Illegal Mining Transportation and Storage Prevention, Rule 2019 & Amended 2021.

The police raided the place of occurrence and found that illegal mining of sand was going on in large scale. Six loaded vehicles were seized and 41 persons were arrested at the spot.

Learned counsel for the petitioner has submitted that the



petitioner is neither owner nor driver of any of the vehicles. He was not arrested at the spot. He is a person of clean antecedent and his name has been disclosed by arrested accused who is owner of one of the boats.

Considering the above-mentioned facts and circumstances, especially the clean antecedent of the petitioner, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 224 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned court below shall examine the criminal antecedent of the petitioner and if it comes to the notice of the court below that the petitioner is involved in any other case except the present one, the learned court below shall be at liberty to cancel his bail bond.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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