

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13663 of 2022**

Arising Out of PS. Case No.-67 Year-2021 Thana- PHULPARAS District- Madhubani

Rajeev Kumar Sah S/o Teknarayan Sah Resident of- Krishnapuri, Phulparas,  
P.S.- Phulparas, District- Madhubani (Owner of Hyva)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      22-08-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner apprehends his arrest in Phulparas P.S.  
Case No. 67 of 2021, registered for the offences punishable  
under Sections 332, 379, 411 of the Indian Penal Code and Rule  
56 of the Bihar Minerals (Concession, Prevention of Illegal  
Mining, Transportation & Storage) Rules, 2019.

As per the prosecution case, one JCB was loading  
illegal sand on a Hyva vehicle and petitioner is owner of the  
said Hyva which was found loaded with 400 cft illegal sand.

It is submitted that the Hyva vehicle in question was  
being used on hire for loading and unloading of articles.  
Petitioner was not involved in illegal mining and transportation  
of sand and the driver without his knowledge and consent used



his vehicle for transpiration of illegal sand. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 67 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

vinita/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

