

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29764 of 2021

Arising Out of PS. Case No.-483 Year-2020 Thana- RAJAON District- Banka

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1. Sanjay Yadav, aged about 40 years, Male Son of Rano Yadav.
 2. Mithilesh Yadav @ Mithlesh Yadav, aged about 34 years, Male Son of Panchu Yadav.
Both resident of Village- Rampur, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Mines and Mineral Department, Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr. Manoj Kumar No.2, APP

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 12-01-2022 Heard the parties through video conferencing.

The petitioners seek bail in anticipation of their arrest in connection with Rajoun P.S. Case No. 483 of 2020 instituted for the offences punishable under Sections 378, 379, 411 of the Indian Penal Code and Section 56 of the Bihar Minerals (Concession Prevention of illegal Mining, Transportation and Storage) Rules, 2021, Section 4/21 of Mines and Mineral (Development and Regulation) Act, 1957 and Section 15 of the Environment (Protection) Act, 1986.

It has been mentioned in the FIR registered by the District Mining Authority, who has conducted a preliminary

enquiry and found that the illegal sand mining is being conducted by the petitioners. Learned counsel submits that the petitioners are nowhere involved in the said sand mining.

Considering the nature of allegation and that illegal sand mining is required to be prevented, no case for anticipatory bail is made out.

Mr. Manoj Kumar No. 2, learned counsel for the State is present and strongly opposes the prayer for anticipatory bail.

The application stands dismissed.

(Sanjeev Prakash Sharma, J)

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