

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36340 of 2022**

Arising Out of PS. Case No.-163 Year-2021 Thana- BARHARA District- Bhojpur

=====

SUSHIL KUMAR SING @ SUSHIL KUMAR SINGH SON OF
KAMLAKANT SINGH RESIDENT OF VILLAGE- BASMANPUR, P.S.-
ARA MUFFASIL, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.A.G

=====

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

2 07-11-2022 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 379/ 420 of the IPC and
under Rule 11, 56(i) of the Bihar Mineral (Concession
Prevention of illegal Mining Transportation and storage) Rules
2019 and under section 15 of the Environmental Protection Act
1986.

As per the prosecution case, petitioner and other
accused persons were indulged in illegal sand mining,
transportation and storage and thereby caused loss of revenue of
Rs. 3.75 lacs to the Government exchequer.

Learned counsel appearing for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact no such occurrence in the manner alleged has ever taken place. Petitioner is owner of the vehicle in question and the same is a commercial vehicle which was hired and without his knowledge and consent the same was used in transporting illegal sand. Similarly situated co accused Bir Kumar Rai has already been granted bail by this court vide order dated 21.07.2022 passed in 50909 of 2021 Petitioner has got no criminal antecedent. Petitioner further undertakes that the petitioner is ready to deposit Rs. 51,000/- in the court below subject to the final decision in the case.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Ara, Bhojpur in connection with Barahara Police Station Case No. 163 of 2021 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

Needless to state that the petitioner would deposit Rs.



51,000/- in the court below and shall furnish its receipt at the time of processing the bail bond. Deposit would be subject to final result of the case.

(Prabhat Kumar Singh, J)

asmit/-

U		T	
---	--	---	--

