

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10903 of 2021

Arising Out of PS. Case No.-501 Year-2020 Thana- BARAHAT District- Banka

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1. Shila Devi, aged about 32 years, Gender-F, W/O Late Pintu Bhagat R/V - Veriya Rehika, P.S. - Katihar, Distt. - Katihar
 2. Arun Paswan, aged about 26 years, Gender- M, S/O Late Radhe Paswan R/V - Chandpur P.S. - Sajour, Distt. - Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party : Mr. Anil Kumar Singh No.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-04-2022 The instant petition under Section 482 of the Code of Criminal Procedure has been filed for quashing the F.I.R. of Banka (Barahatt P. S. Case No.501 of 2020 dated 25-06-2020 lodged under Sections 379 and 411 of the Indian Penal Code, Section 56 of the BIMPTS Rule 2019, 21 of the MMDR Act and Section 15 of the FE Act.

2. It is submitted by the petitioner's counsel that the due amount of compensation for the sand which is alleged to have been recovered from the vehicle in- question has been deposited with the Authorities and in respect of such deposit there is a communicated dated 21.08.2020 issued by the competent authority being the Mines Inspector-cum-competent



authority, Banka, (Annexure-3). The said ground would be urged by him in the criminal case pending based on the communication of the District Mining office dated 24.06.2020.

3. In view of such submission, this Court would only observe that the submission of the petitioner's counsel, needless to say, is to be considered by the Court concerned in accordance with law. No case is made out for quashing of the First Information Report.

4.The Cr. Misc. petition is disposed of with the aforesaid observation/direction.

(Madhuresh Prasad, J)

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