

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56368 of 2021

Arising Out of PS. Case No.-111 Year-2021 Thana- HULASGANJ District- Jehanabad

Vijay Prasad @ Vijay Bind S/O Late Ram Briksh Bind R/o village-
Rustampur,P.S.- Hulasganj, District- Jehanabad Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and learned

A.P.P. Mr. Shyameshwar Dayal for the State

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Hulasganj P.S. Case No. 111 of 2021 instituted for the offences
under Sections 379, 411 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.7.2021, is a person with clean
antecedent and charge-sheet has been submitted and the
informant alleges that a raid was conducted at village Triloki
Bigha alongside Bhutahi river against illegal mining of sand and
according one JCB along with five tractors were found involved
in illegal mining of sand and the person was apprehended who
disclosed his name as petitioner and also that he is owner of one
of the tractors, thus, it is alleged that the petitioner alongwith
other accused were involved in illegal mining of sand. Learned



counsel for the petitioner submits that FIR has not been instituted under any of the Section of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and the case is only under the IPC. Learned counsel further submits that the petitioner is the owner of the tractor who had gone to place of occurrence to verify whether the tractor which was hired by a person was being used for legal purpose or not and accordingly came to be implicated in the present case.

Learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (**Rupees Ten Thousand**) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Hulasganj P.S. Case No. 111 of 2021.

(Satyavrat Verma, J)

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