

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56881 of 2021

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

1. KISHORI RAY @ RAJ KISHORE RAY @ RAJ KISHORE RAI S/o LATE PADARATH RAI @ LATE PDARATH RAY R/o VILLAGE-KOLHRAMPUR, PS-BARAHARA, DISTRICT-BHOJPUR.
2. RAMLAYAK RAY @ RAM LAYAK RAI S/o LATE RAMANUJ RAY R/o VILLAGE-KOLHRAMPUR, PS-BARAHARA, DISTRICT-BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-06-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in registered for the offences punishable under Section 56(1) of the Bihar Minerals (Concession and Prevention of Illegal Mining, Transport & Storage) Rules and section 15 of the Environment Protection Act.

As per the prosecution case, petitioners and 17 other accused persons were engaged in illegal mining, transportation and storage of sand causing loss to the State revenue.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and the land



in question where the sand was stored is joint family property. Petitioners are student preparing for the examination. It is stated in paragraph 3 of the bail petition that the petitioners have got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that there is specific allegation against the petitioners that they were engaged in illegal mining, transportation and storage of sand causing loss to the State revenue.

Considering the specific allegation against the petitioners, their prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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