

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54561 of 2021

Arising Out of PS. Case No.-263 Year-2021 Thana- KOILWAR District- Bhojpur

Devidayal Paswan, gender-Male, aged about 80 years, Son of Late Faurani Paswan, Resident of Village- Surondha, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 22-02-2022 Heard the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Koilwar P.S. Case No. 263 of 2021 instituted for the offences punishable under Sections 379/34 of the Indian Penal Code, Rule-II, 56(i) of the Bihar Mineral (Concession Prevention of Illegal Mining Transportation and Storage Rule) 2019, Section 15 of the Environment Protection Act, 1986 and Section 21 of the MMDR Act, 1957.

Learned counsel for the petitioner submits that the petitioner is aged about 80 years old person and no material has been recovered from the petitioner. It has been presumed that the petitioner and all the family members as well as the villagers have done mining activity have been made accused in



this case.

Taking into consideration the aforesaid facts, no recovery is required to be made, I am inclined to allow the petitioner on bail, in the event of arrest he shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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