

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45014 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Guddu Singh @ Sujit Kumar, Son Of Sahdev Shikdar R/O Village- Tahsur,
P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh- Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 379/
411 of the Indian Penal Code and Section 56 of the Bihar
Minerals (Concessions Prevention of Illegal Mining,
Transportation & Storage) Rules, 2019.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that a tractor laden with 17850 square feet of sand along with a
motorcycle were seized and accused was apprehended. It is next
alleged that the said illegal mining caused loss of Rs.9,44,975/-
to the government and thus, a fine of Rs.10,000/- was also
imposed. Further, the villagers disclosed that petitioner along



with four other accused persons were involved in illegal mining.

The learned counsel for the petitioner submits that the petitioner was not apprehended from the spot. It is next submitted that neither the tractor, nor the motorcycle belongs to the petitioner and his name has been disclosed by the villagers, but then the name of the villagers is not disclosed in the F.I.R., which amply demonstrates that the petitioner has been falsely implicated in order to save the real culprit.

Learned A.P.P. opposes the bail application and submits that it absolutely does not stand to reason that how such huge quantity of sand laden on the tractor was found as it is not possible to mine such huge quantity of sand within a very short span of time which amply demonstrates that connivance of the mining officials also.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jagdishpur P. S. Case No.66 of



2022, subject to the conditions laid down under Section 438(2)
of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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