

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45527 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- SHAHKUND District- Bhagalpur

PANKAJ KUMAR SINGH S/O LATE CHHOTE LAL SINGH Resident of
village- Banama, P.S.- Shahkund, 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 : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 22.03.2022 at 5:21 PM, he along with other police officials inspected and found that illegal mining was carried out on private field causing loss of Rs. 5,42,000/- to the government and on further inquiry, it was found that



accused Pankaj Singh was doing such illegal mining.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that on 21.02.2022, the wife of the petitioner had submitted an application before the District Magistrate, Bhagalpur bringing to his notice that she had sought permission for digging a pond for fish-farming, the learned counsel for the petitioner next submits that since the pond was dug as such the soil was lying on the private land of the petitioner when this false case came to be instituted, it is also submitted that the informant without verifying the facts has instituted the present case in haste.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shahkund



P.S. Case No. 78 of 2022 subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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