

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47394 of 2022

Arising Out of PS. Case No.-120 Year-2020 Thana- RUDRAPUR District- Madhubani

MANOJ SAFI SON OF JAGDISH SAFI R/O VILLAGE- BARSAM, P.S.-
BHEJA, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-11-2022 The learned counsel for the petitioner is directed

to remove all the defects pointed out by the office within

one month.

Heard the learned counsel for the petitioner as

well as the learned Additional Public Prosecutor for the

State.

The petitioner is seeking regular bail in connection

with Rudrapur P.S. Case No. 120 of 2020, under sections

379 and 34 of the Indian Penal Code and Section 4 (1) (A)

of Mines and Minerals (Development and Regulation) Act,

1957 and Section 56 of Bihar Minerals (Concession,

Prevention of Illegal Mining, Transportation and Storage)



Rules, 2019.

The learned counsel for the petitioner has submitted that there is allegation against the petitioner of illegal mining of the sand. He has merely driver of the haiwa vehicle, wherefrom the illegally mined sand was recovered. He is a person of clean antecedent and he is under custody since 21.05.2022.

Considering the above-mentioned facts and circumstances as well as clean antecedent, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1, Jhanjharpur, Madhubani in connection with Rudrapur P.S. Case No. 120 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the



petitioner and the learned court below will take
decision in accordance with law.

Office shall ensure that all defects are removed by
the petitioner within the stipulated time mentioned
hereinabove, failing which, the matter shall be brought to
the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Mahesh

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