

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70257 of 2021**

Arising Out of PS. Case No.-307 Year-2020 Thana- AMARPUR District- Banka

RAKESH SINGH Son of Mahesh Singh Resident of Village - Bhadaria, P.S.-
Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office within three weeks on resumption of physical mode, failing which the office is directed to place the matter before the Bench.

The petitioner apprehends his arrest in case registered for the offence punishable under Section 21 of MM (D& R) Act, 1957, Section 56 of Bihar Minerals (Concession Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and Section 15 of Forest and Environment Protection Act, 1986.

Prosecution case is that on secret information that a sand Mafia group was sitting, the police reached the place of occurrence and nobbed the three persons with Scorpio. Others succeeded to flee away. The apprehended accused Prashant Kumar disclosed the



name of the petitioner as Rakesh Singh.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has not committed any offence in the manner alleged and has falsely been implicated in this case. There is no recovery from the possession of the petitioner he has no concern with the Scorpio vehicle. The petitioner has got no criminal antecedent as stated at para-3 of the bail petition. The name of the petitioner sprang up on the confessional statement of co-accused.

Learned APP for the State opposed the prayer for bail petition.

Considering the above facts and circumstances, the petitioner, above-named, in the event of his arrest or surrender, within six weeks from today, is directed to be released on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 307 of 2020, subject to the condition as laid down under Section 438(2) Cr.P.C.

The application stands allowed.

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(Chandra Prakash Singh, J)

