

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70076 of 2022

Arising Out of PS. Case No.-355 Year-2022 Thana- BARUN District- Aurangabad

AMREDNRA SINGH Son of Indradeo Singh Resident of Village- Sahaspur,
P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code and Section 4 (1A)/21 of MMDR Act, Section 11/18 Bihar Mines Amendment Rules 2021 and Section 56 of Amendment Rule 2021.

Learned counsel for the petitioner submits that petitioner has antecedent of three cases and the informant alleges that two trucks along with the driver Rahul and Ajay were apprehended and on inquiry, the villager disclosed the name of petitioner and other accused persons, further sand was seized as detailed in the F.I.R, which led to revenue loss to the Government.



Learned counsel for the petitioner submits that petitioner has been falsely implicated because of his antecedent, it is next submitted that the name of the petitioner was not disclosed by Ajay and Rahul who were apprehended rather came to be implicated at the instance of *Chowkidar* because of his antecedent, it is next submitted that it appears that in order to save the real culprits, the petitioner has been made scapegoat when neither the truck nor the sand belongs to him, it is next submitted that from perusal of the allegation as alleged in the F.I.R, it would manifest that altogether 35,000 cubic feet of sand was found at the place of occurrence leading to revenue loss of Rs. 18,63,750/-, this in itself amply demonstrates that the authorities of the Department of Mines along with police were in hand in glove with the illegal sand miners or else it would not have been possible to accumulate sand in such huge quantity at the place of occurrence.

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. 20,000/-
(Rupees Twenty 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 Barun P.S. Case
No. 355 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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