

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7407 of 2023

Arising Out of PS. Case No.-374 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Sadashiv Prasad Singh @ Sadashiv Prasad @ Sadashiv Singh Son Of
Maleshwar Singh Resident Of 410, Ganeshalay Apartment, Jharudih, Near
Carmel School, Matkuria, P.S.- Dhanbad, District - Dhanbad, Jharkhand
826001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mineral Development Officer, Aurangabad Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Shekhar
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner, learned
counsel for the Mines Department and learned APP for the
State.

Petitioner apprehends his arrest in a case registered
for the offence punishable u/s 379, 420 and 120B of the IPC and
Rule 56 and 56(2) of the Bihar Mineral (Concession, Prevention
of Illegal Mining, Transportation and Storage) Rules, 2019.

The allegation against the petitioner is that he along
with other accused persons illegally stored huge quantity of
sand violating the rules of license and sold it without issuance of
prepaid E-challan and caused loss to the Government of Bihar.

Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the name of the petitioner is not named in the F.I.R. and his name transpired in this case during course of investigation. There is no specific allegation against the petitioner. Petitioner has twenty eight criminal antecedents as mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Daudnagar P.S. Case No.374 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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