

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25001 of 2023

Arising Out of PS. Case No.-164 Year-2022 Thana- BARAHAT District- Banka

ANANT KUMAR SINGH Son of Ganesh Prasad Mandal R/V- Bari Chataiya,
P.O.- Khawaspur, P.S.- Pirpaiti- District- Bhagalpur, Bihar PIN Code- 813209

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Prasad Son of Late Bharat Prasad Mine Inspector, Banka (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-07-2023 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 379/411 of the Indian Penal Code, Sections 11/41 of the Bihar Minerals (Concession, Prevention of illegal Mining, Transportation & Storage) Rules 2019 and Section 56(2) of Mining Amendment Rule 2021, Sections 4(1)/21 of Mines and Minerals (Development and Regulations) Act, 1957.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that during course of raid they found a sand loaded six wheeler vehicle but on seeing the police personnel the accused



persons fled away leaving the vehicle.

Learned counsel for the petitioner submits that the offence is compoundable and petitioner being owner of the vehicle has already deposited the compounding fee as would be evident from Annexure-3 page 18, it is further submitted that petitioner was not even present at the place of occurrence and he was completely unaware that the driver of the vehicle would misuse the vehicle in the manner as alleged, it is next submitted that no prudent persons would misuse his own vehicles for committing an occurrence and thus would create evidence against himself and hence would get implicated.

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

Considering the submissions and the fact that the compounding fee has been deposited, 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. 5,000/- (Rupees Five 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 Barahat P.S. Case



No. 164 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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