

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20181 of 2023

Arising Out of PS. Case No.-21 Year-2022 Thana- SIWAIPATTI District- Muzaffarpur

=====

VINOD SAHNI @ BINOD KUMAR SAHNI S/O RAMASHEY SAHNI
Resident of Village- Madhuban Kanti, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 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 Section 379 of the Indian Penal Code read with Section 56(1)(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and it is alleged that the police seized two tractors overloaded with white sand and one loader.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next



submitted that petitioner came to be implicated since he is owner of one of the seized tractors, it is further submitted that petitioner was completely unaware that the driver of the tractor would misuse the vehicle in the manner as alleged. Learned counsel submits that the offence under the Mines Act is compoundable and the petitioner is willing to get the case compounded by depositing the required amount.

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 Court below within a period of six weeks from today, be released on **provisional 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 court below where the case is pending/successor court in connection with Siwaipatti P.S. Case No. 21 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bonds of the petitioner shall verify whether the petitioner in terms of assurance given to the this Court has deposited the



amount for compounding the case or not and in the event, if no receipt is filed within a period of four weeks after surrendering, the learned trial court shall be at liberty to cancel the provisional bail bonds of the petitioner.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

