

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26983 of 2023**

Arising Out of PS. Case No.-123 Year-2022 Thana- SANOKHAR District- Bhagalpur

1. BIPIN KUMAR SON OF HARE RAM MANDAL RESIDENT OF VILLAGE - DOBHI, P.S. - AMDANDA, DISTT. - BHAGALPUR
2. MITHUN KUMAR SON OF MUNILAL MANDAL, D/O MOHIA @ MAHENDRA YADAV RESIDENT OF VILLAGE - DOBHI, P.S. - AMDANDA, DISTT. - BHAGALPUR
3. FANTOOS @ FANTOOS KUMAR MANDAL @ FANTOOS MANDAL SON OF LATE RAM MANDAL RESIDENT OF VILLAGE - JAGARNATHPUR, P.S. - AMDANDA, DISTT. - BHAGALPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE STATE OF BIHAR THROUGH THE DIRECTOR, BIHAR MINES AND MINERAL CONCESSION, BIHAR, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-07-2023 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Section 379 of the Indian Penal Code and BMMC Rules 2019, 56(1).

Allegation against petitioners is that they are involved in illegal mining, storage and transportation of sand causing thereby revenue loss to the government to the tune of Rs. 6,42,000/-.

It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. They are not indulged in the business of illegal mining or transportation of sand. The land in question belongs to one Janardan Mandal and these



petitioners have got no concern with the said land-lord. Petitioners have never entered into an agreement with him for mining of the sand. Petitioners claim clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bhagalpur in connection with Sanokhar (Amdanda) P.S. Case No. 123 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J.)

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