

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23415 of 2023

Arising Out of PS. Case No.-782 Year-2020 Thana- BANKA District- Banka

RAVIN KUMAR PASWAN Son of Sinehi Paswan Resident of Village -
Krishnathpur Sanhi West, Ward No.- 4, P.S.- Sanha, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Mines, Government of Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code, Sections 11 and 41 of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage), Section 4(1A) of Mines and Minerals, Development and Regulation Act and Section 15 of the NGT Act.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 800 cft of sand loaded on a truck



which was apprehended from a petrol pump at Dhaka crossing, it is further submitted that petitioner has been falsely implicated in the present case, it is next submitted that petitioner is a businessman, it is further submitted that petitioner was completely unaware that the driver would misuse the vehicle in the manner as alleged in the FIR. The learned counsel further submits that petitioner is willing to compound the offence.

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

5. 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. 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 Banka P.S. Case No. 782 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the learned Trial Court before



accepting the bail bonds of the petitioner shall verify whether petitioner has paid the compounding fee of the sand in question or not and in the event, if the petitioner is not given to produce any receipt with regard to compounding then in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

GauravSinha/-

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

