

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22913 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- MUNGER MUFFASIL District- Munger

SHIVANJAY KUMAR SINGH, SON OF KAILASH SINGH RESIDENT OF
VILLAGE AND POST BABHANGAMA , P S BIRPUR ,DISTRICT
BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE DEPARTMENT OF MINES AND MINERAL, THE STATE OF
BIHAR BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code and Section 4(11) of the M.M.D.R. Act, 1957 and Section 56(2) of the Bihar Mineral Act, 2021.

As per the F.I.R., the petitioner is owner of the vehicle in which the illegal sand was loaded.

It is submitted on behalf of the petitioner that the petitioner has valid challan and in support of the same, he has annexed Challan with this petition. It is further submitted that the petitioner has falsely been implicated in this case because he



happens to be owner of the vehicle. From bare perusal of the F.I.R. it is apparent that petitioner had valid Challan and same was not produced before the concerned authority and due to that the vehicle was seized and driver was arrested and after arrest, the driver has produced valid Challan.

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

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Muffasil P.S. Case No. 55 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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