

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32174 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- KUTUMBA District- Aurangabad

RAHUL KUMAR SINGH S/o Sarvesh Singh Resident of village-Amba
(Bishunpur) P.S.- Kutumba, District-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar PATNA
2. Mining Inspector (Informant) Mining Department, Aurangabad Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr.Dilip Kumar No.1, APP
For the Mines Dept.	:	Mr.Naresh Dikshit, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner, learned counsel
for the Mines Department and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 379/411 of the IPC and Rule 4, 21 of Mines and Minerals Act and Rule 11, 43, 56 of the Bihar Minerals Rules.

3. As per the prosecution case, four tractors has been seized by the police and the driver and owners including the petitioner were made accused in this case for illegal mining of sand.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence,



in the manner as alleged, has ever taken place. It is further submitted that the loss amount/compounding fee of Rs.30,000/- has already been paid by the petitioner to the concerned Department. This fact is also mentioned in the order of the learned Sessions Judge. Petitioner has no criminal antecedent.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Kutumba P.S. Case No.127/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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