

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29841 of 2023

Arising Out of PS. Case No.-402 Year-2022 Thana- KOILWAR District- Bhojpur

Jay Narayan Singh Son of Rajnath Singh Resident of village - Rajapur, P.S. -
Koilarwar, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

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

The petitioner is apprehending his arrest in connection with Koilarwar P.S. Case No. 402 of 2022 registered for the offence punishable under Section 379 and 411 of the Indian Penal Code , Rule 56(1), 56(2), 60(3) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Amendment Rules 2021 and Section 4 and 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

There is a recovery of some allegedly illegal sand from the truck and tractor, a motorcycle has also been recovered from the premises of the same school. The petitioner's implication is by virtue of ownership of the motorcycle in



question.

Learned counsel for the petitioner submits that he had gone to the place for some work at the school when his motorcycle has been seized, leading to his implication, in fact, he is a victim of the circumstance, has no concern with the alleged recovery, and has no antecedents.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the fact, that there is no recovery of any illegal sand from the petitioner or his vehicle as also clean antecedents this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Ara in connection with Koilwar P.S. Case No. 402 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

- (i) That one of the bailors will be a close relative of the petitioner



who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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