

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34568 of 2023

Arising Out of PS. Case No.-87 Year-2022 Thana- IMADPUR District- Bhojpur

Manish Singh @ Mukesh Kumar Singh, Male, aged about 40 years, Son of Late Shiv Shankar Singh, Resident of village - Bihata, P.S.- Imadpur, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mines Officer, Bhojpur, Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with Imadpur P.S. Case No. 87 of 2022 dated 08.07.2022 instituted under Sections 379, 411 of the Indian Penal Code and Section 4, 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Rule 39 (1), 56 (I) of the Bihar Mineral (Concession, Prevention of illegal Mining, Transportation and Storage) Rules, 2019.

3. As per the prosecution, illegal sands were stored at several places in huge quantity, which belongs to the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case. He is neither the owner nor in possession of the land situated at Khata No. 914, Khesra No. 3139, where the sand is alleged to be illegal stored. Petitioner has one criminal antecedent in which he is on bail.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhojpur, Ara/Successor Court in connection with Imadpur P.S. Case No. 87 of 2022, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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