

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40328 of 2023

Arising Out of PS. Case No.-95 Year-2022 Thana- MORKAHI District- Khagaria

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PAPPU KUMAR S/O SRI PRAKASH SINGH R/O Village and P.O- Marar,
P.S- Morkahi, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mining Department through the Mineral Development Officer, District Mining Office, Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Binod Kumar
For the Opposite Party/s :	Mr. Shyameshwar Dayal
For the Mines Department:	Mr. Naresh Dixit
	Mr. Utrav Anand

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-10-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379 & 411 of the Indian Penal Code, Section 11/56 of the Bihar Prevention of Illegal Mining Transportation and Storage Rules, 2019 and Section 15 of the Environment Act, 1986.

3. It is alleged that on the order of the petitioner 100 sq.mt. white sand was illegally excavated.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. It is further submitted that the petitioner is ready to deposit the alleged loss amount. Petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. 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 Morkahi P.S. Case No. 95 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned court below is directed to accept the bail bond of the petitioner after satisfying that the petitioner has already deposited the loss amount in the department.

(Anjani Kumar Sharan, J)

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