

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56290 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

1. KAMESHWAR SINGH S/O LATE HARIDWAR SINGH @ LATE HARIDWAR MAHTO Resident of village- Lerua, P.S.- Sasaram (M), District- Rohtas.
2. VIJAY SINGH @ VIJAY SHANKAR SINGH S/O LATE HARIDWAR SINGH @ LATE HARIDWAR MAHTO Resident of village- Lerua, P.S.- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE ASSISTANT DIRECTOR, MINES AND MINERAL Rohtas at Sasaram

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50933 of 2022

Arising Out of PS. Case No.-25 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

LALAN SINGH Son of Late Bishuni Singh Resident of Village - Lerua, P.S.- Sasaram (Muffassil), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56290 of 2022)

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

(In CRIMINAL MISCELLANEOUS No. 50933 of 2022)

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 07-02-2023 Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 379 and 411 of the Indian Penal Code and Section 56 of Bihar Minerals (Concession and



Prevention of Illegal Mining, Transportation and Storage) Rules 2019, registered in connection with Sasaram (M) P.S.Case No. 25 of 2021.

The learned counsel for the petitioner Lalan Singh has submitted that the land where the sand was alleged to be stored was not belonging to him as he had sold that land to Permila Devi. On similar footing, Ajay Singh, brother of the petitioner Lalan Singh, has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr.Misc. No. 41277 of 2022.

The learned counsel for the petitioner Kameshwar Singh and Vijay Singh @ Vijay Shankar Singh has submitted that they have already deposited the loss amount of the department for the storage of sand on their land.

Considering the above facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasara, (M) P.S.Case No. 25 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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