

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55373 of 2022

Arising Out of PS. Case No.-156 Year-2022 Thana- BARHARA District- Bhojpur

Kunal @ Kunal Kumar Son Of Sarvanand Rai R/O Village- Kolharampur,
P.S.- Barhara, District- Bhojpur (ARA)

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Department Of Mine And Mineral, Govt. Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Kamaluddin, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 24-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code and Section 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2021.

As per the prosecution case, the petitioner and the co-accused persons are alleged to have involved in illegal



storage of sand.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur, Ara in connection with Barhara P.S. Case No. 156 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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