

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62942 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

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ASHOK KUMAR SINGH SON OF RAM NARAYAN SINGH RESIDENT
OF VILLAGE- KHANDA , P.S.- SONE NAGAR , DISTRICT -
AURANGABAD

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mining Inspector Kaimur at Bhabua. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate.
For the State	:	Mr. Satyendra Narayan Singh, Advocate
For the Mines	:	Mr. Brij Bihari Tiwary, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State as well as learned counsel for the

Mines Department.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 379,
420, 467, 468, 471 34 of the Indian Penal Code and Section
56(i)(ii) of the Bihar Mineral Concession Prevention of
Illegal Mining, Transportation & Storage (Amendment)
Rule, 2021.

3. The prosecution case in brief is that the
informant who was Mining Officer of Kaimur, nabbed a



truck loaded with sand bearing registration No. UP67AT0242. It is further alleged that on demand of paper, the forged challan was produced by the driver of the said truck. Thereafter the driver of the truck was arrested.

3. Learned counsel for the petitioner submits that petitioner is owner of the said truck and driver of the truck was apprehended by the Police on the spot. Learned counsel further submits that the petitioner has already deposited the loss amount in the Finance Department, Government of Bihar vide Annexure-2 of the bail application. He next submits that the petitioner has also deposited Rs.2,500/- through Challan in the Transport Department, Government of Bihar, vide Challan No. BR1059423071174726.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

5. Considering the facts and circumstances of the case that the petitioner has already deposited the loss amount in the Finance Department, Government of Bihar, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, 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 learned Court below where the case is pending/successor Court in connection with Ramgarh P.S. Case No. 219 of 2023, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Anjani Kumar Sharan, J)

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