

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57604 of 2022

Arising Out of PS. Case No.-253 Year-2022 Thana- LAXMIPUR District- Jamui

1. RAHISH KUMAR @ RAHISH YADAV S/o Arjun Yadav Resident of village- Hathivarah, P.S.- Laxmipur, District- Jamui
2. DEEPAK KUMAR @ DEEPAK YADAV S/o Ansheshwar Yadav Resident of village- Arvariya, P.S.- Laxmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh, Adv.
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 379/411 IPC and MMDR Act, 1957, section 21 of Bihar Minerals (Concession, prevention of illegal Mining Transportation & Storage) Rules, 2021, Rule 56(2).

As per the prosecution case, petitioners are involved in illegal storage of sand which caused loss of revenue to the tune of Rs.10 lakhs.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have no criminal antecedent. Petitioner no.1 is ready to deposit the loss amount of Rs.42,200/- and petitioner no.2 is ready to deposit Rs.96,000/-, both in the Mines Department according to section 56 of the MMDR Act.

Accordingly, petitioner no.1 is directed to deposit Rs.42,200/- and petitioner no.2 is directed to deposit Rs.96,000/- in the Mines Department within a period of ten weeks from today.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on **provisional bail** for a period of ten weeks from today, in the event of their 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) each 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 Laxmipur P.S. Case No.253 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioners shall be confirmed



by the learned court below itself on showing the receipt of deposit of their respective amount in the Mines department within the stipulated period.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

