

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64355 of 2022

Arising Out of PS. Case No.-56 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

Lalan Singh Son of Late Bishuni Singh @ Late Bishnu Singh R/O Village-
Lerua, P.S.- Sasaram (Muffasil), District- Rohtas

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Sasaram (M) P.S.
Case No. 56/2021 registered for the offences punishable under
Sections 379, 411 of the Indian Penal Code and 56 of Bihar
Minerals Rules.

The allegation against this petitioner is to involve in
illegal mining of sand and business activities arises thereof
along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that the land in issue, where alleged illegal sand was kept has already been sold back by this petitioner to one Smt. Parmeela Devi, as per details mentioned in Annexure-II, which is the part of present bail petition. It is submitted that out of said misconceptions, petitioner also found involved in three more criminal cases of similar nature, where he has already on bail. It is submitted that the offence under Mining Act/Rules is bailable in nature but only to aggravate the allegation the provision of Section 379 of Indian Penal Code appears to be imported. While concluding the argument it is submitted that one of the co-accused persons, namely, Ajay Singh has already been granted bail by one of the Co-ordinate Bench of this Court through Cr. Misc. No. 53047 of 2022 vide order dated 17.01.2023.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances and by taking note of the fact as land in issue, where alleged illegal sand found stored has already been sold by this petitioner, let the above named petitioner, in the event of his arrest or surrender before the Court below within a period of four weeks of this order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of



the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Rohtas at Sasaram/concerned Court, where
the case is pending in connection with Sasaram (M) P.S. Case
No. 56 of 2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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