

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72289 of 2023

Arising Out of PS. Case No.-472 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Sonu Kumar @ Sonu Kumar Ray, Son Of Dharamnath Ray @ Dharmanath
Pd. Rai, Resident Of 75 Mali Tola, Pir Maker, P.S. - Maker, District – Saran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Mines Inspector, District Mines Office, Chapra Chapra

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Koshalendra Rai, Advocate
For the State	:	Mr. Shyameshwar Dayal, A.P.P.

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

ORAL ORDER

2 09-11-2023 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.

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

3. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 472 of 2023 dated 18.06.2023 registered for the offences punishable under Section 353 of the I.P.C., Section 21 of M.M.D.R. Act, 1957 and Section 56 of Bihar Mineral Concession, Prevention of Illegal Mining, Transportation and Storage Amendment Rule, 2019.

4. As per the prosecution case, some of the members



of illegal sand traffickers gang trailed the informant who was going to bring B-SAP 15 Force, stationed at High School, Mala, (Chapra). When the informant on his vehicle tried to apprehend them, they fled leaving their Motorcycles, which were seized and a case is registered against the owners of the seized vehicles.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the owner of one of the seized Motorcycles and he has given his Motorcycle to his close friend for his personal use. The said Motorcycle was parked near the place from where the other Motorcycle was seized. The petitioner is an agent of the National Saving Institute Office at Chapra. No specific overt act is alleged against the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

7. Considering the aforesaid facts and circumstances of the case, 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, Chapra in connection with Muffasil P.S. Case No. 472 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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