

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69892 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- ROHTAS District- Rohtas

SUJEET KUMAR S/O VIJAY SINGH Resident of village- Parariya Post-Tilauthu, P.S.- Rohtas (Amjhor), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Chandra Mohan Jha, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Mines Deptt.	:	None

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2023 Heard learned counsel for the petitioner and learned APP for the State. Name of Mr. Naresh Dikshit is appearing in the daily cause list on behalf of the Mines Department, but today none appears on behalf of the Mines Department

The petitioner apprehends his arrest in connection with Rohtas (Amjhor) P.S. Case No.175 of 2022, registered for the offences punishable under Sections 379, 411, 413, 414, 417, 420 and 201 of the Indian Penal Code, Section 56(i), 56(ii) of the Bihar Mineral (Concession Prevention of Illegal Mining Transportation & Storage) Rules, 2019 and Section 15 of the Environment Protection Act.

The prosecution case, in brief, is that on 17.05.2022 at about 21.45 p.m. during course of patrolling, the informant got secret information about illegal mining of sand from Chitauli



Ghat. The information transmitted the said information to his superior officer and verified the information with local Chaukidar. When the police party reached the place, the accused persons fled away leaving the tractor at the place of occurrence. The local Chaukidar has identified the accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that similarly situated other co-accused persons have already been enlarged on anticipatory bail by this Court as well as by a different co-ordinate Bench of this Court vide order dated 19.12.2022, passed in Cr. Misc. No.51993 of 2022, order dated 03.01.2023, passed in Cr. Misc. No.58747 of 2022 and order dated 19.01.2023, passed in Cr. Misc. No.68303 of 2022.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the fact that similarly situated other co-accused persons have already been enlarged on anticipatory bail by this Court as well as by a co-ordinate Bench of this Court, let petitioner, above named, in the event of his arrest or surrender



before the learned court below within a period of six weeks from today, be enlarged on bail 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 S.D.J.M., Dehri-On-Sone, District Rohtas in connection with Rohtas (Amjhor) P.S. Case No.175 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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