

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69140 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- NASRIGANJ District- Rohtas

SADASHIV PRASAD SINGH @ SADASHIV PRASAD @ SADASHIV SINGH Son of Maleshwar Singh Resident of 410, Ganeshalay Apartment, Jharudih, Near Carmel School, Matkuria, P.S.- Dhanbad, District- Dhanbad, Jharkhand 826001

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mines Inspector, Rohtas Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Suraj Samdarshi, Advocate
For the O.P. No.2	:	Mr. Naresh Dixit, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner, learned counsel for the Mines Department and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411 and 420 of the Indian Penal Code and Rule 11, 39 and 56 of the Bihar Mineral (Concession, Prevention of Illegal Mining, Transportation and Storage) Rule, 2019.

The petitioner, being the Chief Executive Officer of Aditya Multicon Private Limited, is said to have illegally stored huge quantity of sand violating the rules of licence and sold it without issuance of E-Challan.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner is not named in the F.I.R. and there is absolutely no allegation levelled against the petitioner in the F.I.R. The name of the petitioner has come up during course of investigation. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the entire allegation levelled against the petitioner appears to be definitely a case of plantation and false implication in order to harass and humiliate the petitioner with ulterior motive. It is lastly submitted that under the same facts and circumstances, the petitioner has been granted anticipatory bail in Rishiyap P.S. Case No.82 of 2021 by a co-ordinate Bench of this Court vide order dated 13.09.2022 passed in Cr. Misc. No.23928/2022 (Annexure-13 to this application) and by this Court vide order dated 07.02.2023 passed in Cr. Misc. No.68755 of 2022.

Learned counsel for the Mines Department and learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, 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 the learned Court below where the case is pending/successor Court in connection with Nasriganj P.S. Case No. 126 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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