

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74522 of 2022

Arising Out of PS. Case No.-349 Year-2021 Thana- DEHRI TOWN District- Rohtas

SADASHIV PRASAD SINGH @ SADASHIV PRASAD @ SADASHIV SINGH S/O Maleshwar Singh R/O 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 Assistant Director District Mining Officer, Rohtas Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Samdarshi, Adv
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl.PP
		Ms. Kalpana, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the Mines Department as well as learned APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379, 411, 420 and 409 of the Indian Penal Code, Rules 39(3), 39(3) and 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules 2019 and section 15 of Environment Protection Act, 1986.

The allegation against the petitioner is that he alongwith his employees/workers illegally stored huge quantity of sand



violation the rules of license and sold it without issuance of prepaid E-challan and thereby caused loss of Rs.64,60,98,600/- to the Government of Bihar.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner has already been enlarged on anticipatory bail by this Court as well as by another co-ordinate Bench of this Court. Petitioner has criminal antecedents mentioned in paragraph-3 of the bail application.

Learned APP for the State as well as learned counsel appearing on behalf of the Mines Department opposed the prayer for anticipatory 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/her 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 Dehri (Indrapuri) P.S. Case No.349 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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