

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69250 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- DARIHAT District- Rohtas

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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 Mines Inspector, Rohtas Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Suraj Samdarshi, Advocate
For the State	:	Mr. H. A. Khan, APP
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl. P.P.
		Ms. Kalpana, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner, learned APP for the State as well as learned counsel appearing on behalf of Mines Department.

The petitioner apprehends his arrest in connection with Darihat P.S. Case No.125 of 2021, registered for the offences punishable under Sections 379, 411, 420 and 409 of the Indian Penal Code, Rules 39(2), 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 levelled against the petitioner is that he alongwith his employees/workers illegally stored huge quantity of sand violating the rules of licence and sold it without issuance of prepaid E-challan and thereby caused loss of Rs.64,60,98,600/- to the Government of Bihar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got criminal antecedents as stated in paragraph-3 of the bail petition. It is further submitted that in similar other cases, the petitioner has already been enlarged on anticipatory bail by this Court as well as by another co-ordinate Bench of this Court.

Learned APP for the State as well as learned counsel appearing on behalf of the Mines Department opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, 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 Judicial Magistrate, 1st Class, Dehri in connection with Darihat P.S. Case



No.125 of 2021, subject to the conditions laid down under
Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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