

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74911 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- SHERGHATI District- Gaya

1. Vinay Kumar aged about 26 years Son of Mahesh Prasad R/o vill - Keshapi, P.S. - Dobhi, Distt. - Gaya
2. Kaushal Kumar @ Kaushal Kumar Singh aged about 31 years Son of Sanjay Singh R/o vill - Ningri, P.S. - Dobhi, Distt. - Gaya
3. Aman Kumar @ Viru Kumar aged about 23 years Son of Nageshwar Yadav @ Nago Yadav R/o vill - Dobhi, P.S. - Dobhi, Dist. - Gaya

... .. Petitioners

Versus

1. The State Of Bihar
2. Satyendra Prasad (the Mines Inspector) Son Of Rampati Singh The Mines Inspector, District Mines Office, Gaya

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr.Vijay Kumar, Advocate
For the Mines	:	Mr. Naresh Dikshit, Advocate
		Mr. Brij Bihari Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 At the outset, learned counsel for the petitioners is permitted to add alias name of father of petitioner no.3 in the records of the case.

2. Heard learned counsel for the petitioners and the State.

3. Petitioners apprehend their arrest in connection with Sherghati (Dobhi) P.S. Case No. 466 of 2022 dated 9.6.2022 registered for the offence punishable under Sections 379, 411/34 of the Indian Penal Code, Section 56 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and Section 21 of Mines and Minerals (Development and Regulation) Act, 1957

4. As per the prosecution case, petitioners and other accused persons were indulged in illegal mining and storage of sand of



Nilanjana river.

5. It is submitted on behalf of the petitioners that these petitioners have falsely been implicated in this case on the basis of suspicion. Co-accused, with similar allegation, have already been allowed pre-arrest bail by this Court vide annexure 2 series. Petitioners claim clean antecedent.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Sherghati at Gaya in Sherghati Deobhi Police Station Case No. 466 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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