

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.509 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- GAURICHAK District- Patna

Ram Suresh Singh Son Of Late Sant Lal Singh R/V- Chaksurat, P.S-
Gaurichak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
	:	Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in the F.I.R. and
apprehended his arrest in connection with Gaurichak P.S. Case
No.385 of 2022 registered for the offences punishable under
Sections 379, 420 and 353 of the Indian Penal Code, Section 56
of the Bihar Minerals Rules 2019, Section 15 of the EPA Act
and Section 21 of the MMDR Act.

The allegation against the petitioner is to involve in
trade of illegal mining of sand alongwith other co-accused



persons, where tractor of petitioner was seized on spot.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case out of local enmities. It is submitted that petitioner named in the present case on the basis of hearsay input of unknown villager without having any connecting evidence. It is submitted that alleged tractor which was seized on spot belonging to this petitioner but same was given to one factory hiring basis on from where it was misused for the alleged purpose. It is submitted that the offence under mining rules is bailable in nature and just to aggravate the allegations the provision of Section 379 of the Indian Penal Code appears to be imported in present case. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as implication of petitioner appears on the basis of hearsay input, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Patna City, Patna/concerned Court below where the case is pending in connection with Gaurichak P.S. Case No.385 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

