

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75232 of 2022

Arising Out of PS. Case No.-329 Year-2022 Thana- BARUN District- Aurangabad

CHHOTU KUMAR @ CHHOTU KR. YADAV Son of Anirudh Yadav R/v-
Bagtarapa, P.S.- Barun District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Mines and mineral Department, Govt. of Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Barun P.S. Case No.329 of 2022, registered for the offences punishable under Sections 379, 411 of the Indian Penal Code, Rule 04(1-A) of Mines and Minerals (Development and Regulation) Act and Rules 11, 18, 41, 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules.

As per FIR, the allegation against the petitioner is that 3500 CFT sand was illegally stored by him in village Bagtarpagarh without having valid or legal challan, causing huge loss of revenue, i.e., Rs.1,86,375/- to the State.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal



antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner is ready to deposit the said amount, i.e., Rs.1,86,375/- in the Mines Department in installment within a period of six months from today.

Taking into consideration the fact that the petitioner is ready to deposit the said amount in the Mines Department within a period of six months from today, 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 **provisional anticipatory bail for six months** 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 C.J.M., Aurangabad in connection with Barun P.S. Case No.329 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The learned court below is directed to confirm the bail bond of the petitioner after verifying the fact that the petitioner has already deposited the said amount, i.e., Rs.1,86,375/- in the Mines Department within a period of six months from today.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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

