

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74654 of 2022**

Arising Out of PS. Case No.-403 Year-2022 Thana- BARUN District- Aurangabad

1. Sujit Kumar @ Ajit Kumar Son Of Dharmdev Singh R/V- Mangrahiya, P.S.- Barun, District- Aurangabad (Bihar)
2. Binay Kumar Son Of Dudheshwar R/V- Mangrahiya, P.S.- Barun, District- Aurangabad (Bihar)
3. Aman Kumar Son Of Nawal Kishor R/V- Mangrahiya, P.S.- Barun, District- Aurangabad (Bihar)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Leelawati Kumari, Advocate  
Anant Vishal, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      06-04-2023                      Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379, 353, 411 and other allied sections of the Indian Penal Code read with Section 4(1A), 21 of the Mines And Minerals (Development And Regulation act, 1957 and sections 11, 18, 43 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) rules, 2019 and section 56 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Amendment Rules, 2021.

Prosecution's case in short is that 28 named accused



persons including these petitioners and 50 unknown accused persons were involved in illegal mining, storage and transportation of sand, stone, etc. And when police party conducted raid accused persons pelted stone on the police party.

Learned counsel appearing for the petitioners submits that the petitioners have no concern with or knowledge of seized vehicles found loaded with sand. Petitioners are neither driver nor owner of the vehicles seized by the police party, rather they are residents of nearby villages.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released 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 the learned Chief Judicial Magistrate, Aurangabad (Bihar), in Barun Police Station Case No. 403 of 2022 subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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