

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6184 of 2024

Arising Out of PS. Case No.-25 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

1. Vijay Singh S/O Late Shiv Bachan Singh R/O Village- Medanipur Tola, Bhagwan Bigha, P.S- Sasaram (M), Distt.- Rohtas.
2. Mahendra Singh S/O Late Shiv Bachan Singh R/O Village- Medanipur Tola, Bhagwan Bigha, P.S- Sasaram (M), Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Assistant Director Mines and Minerals, Rohtas at Sasaram. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 03-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Sasaram (M) P.S. Case No. 25 of 2021 lodged on 15.01.2021 for the offences punishable under Sections 379, 411 of the Indian Penal Code read with section 56 of Bihar Minerals (Concession and Prevention of Illegal Mining, Transportation and Storage) Rules, 2019.

3. As per the prosecution, FIR has been lodged against 25 named accused persons including the present petitioners. The allegation against the present petitioners is that they have stored sand illegally on their land due to which loss of Rs.65,951/- has



been caused to the State.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the criminal antecedent of the petitioners are not clean and there are two criminal cases pending against them in which they are on bail. Counsel further submits that the petitioners are farmers and doing agricultural work for their livelihood. Counsel submits that the other co-accused persons have been granted bail by the Co-ordinate Bench of this Court and this Court also *vide* orders dated 07.02.2023, 09.02.2023 and 04.08.2023 passed in Cr. Misc. Nos. 56290 of 2022, 57237 of 2022 and 45022 of 2023 respectively.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the petitioners have caused loss to the Government as such they may be directed to deposit the said amount.

6. In the present facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, along with the proof that they have deposited the amount of Rs.65,951/- before the District Mining Officer,



Sasaram, on furnishing bail bonds of Rs.30,000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J.)

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