

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11853 of 2024

Arising Out of PS. Case No.-710 Year-2023 Thana- BELAGANJ District- Gaya

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1. Ranjeet Yadav S/O Sahdeo Yadav R/O Village- Dalelchak, P.S- Belaganj, Dist.- Gaya.
 2. Ravi @ Jaipal Kumar @ Ravi Jaipal Kumar S/O Lae Rambriksha Yadav @ Late Ramashish Yadav R/O Village- Dalelchak, P.S- Belaganj, Dist.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary-cum-Principal Secretary, Mines and Geology, Bihar, Patna Patna

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Priya Ranjan, Advocate
For the Respondent-State	:	Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Belaganj P.S. Case No. 710 of 2023 instituted for the offence under Sections 379 & 411 of the Indian Penal Code and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Rule 56 of the Bihar Mineral Rules, 2021.

3. As per prosecution case, the informant along with the Mines Inspector raided different places within Belaganj in respect of hoarding sand illegally at different places. In course of such raid, the raiding team found the evidence of hoarding



and sale of 1,84,700 Cubic feet sand illegally in village Simra causing loss to the tune of Rs. 1,96,24,375/- to the revenue of the State Government and they came to know from the local people that the petitioner and other accused named in the FIR are involved in transporting the sand illegally from Falgu river and selling illegally.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 16-11-2023. Petitioner No. 1 bears 6 criminal antecedent while petitioner No. 2 bears 4 criminal antecedent.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. He further submits that petitioners were not apprehended from the spot nor any vehicle or any incriminating article was recovered from the place of occurrence. The name of the petitioners have surfaced in this case on the basis of the disclosures made by the local people and except that, there is nothing against the petitioners. He further submits that no offence under Sections 379 and 411 of the IPC is made out against the petitioners and the offence under the Mines and Mineral Act is being made out as no ingredients is being fulfilled against the petitioners. Other co-accused has been



allowed bail by this Court vide order dated 22-02-2024, passed in Cr. Misc. No. 6974 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Belaganj P.S. Case No. 710 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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