

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11956 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- KHUTAUNA District- Madhubani

Divakar Sah Son of Shiv Narayan Sah Resident of Village- Vayasi, Ward No. 6, Near Kedar Vayasi, P.S.- Karjain Bazar, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-02-2024 Heard Mr. Ratnakar Jha, learned counsel appearing on behalf of the petitioner and Mr. Ashok Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with G.R. No. 1612 of 2023 arising out of Khutauna P.S. Case No. 106 of 2023 registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code and Section 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 (hereinafter referred to as the “Rules, 2019).

3. As per the allegation made in the F.I.R., the truck bearing Registration No. BR-50GA-5782 registered in the name of the petitioner was seized for carrying stolen soil in violation of the provision of Section 56 of the Rules, 2019.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is ready for compounding



of the offence and to deposit the compounding fees in accordance with Section 56 of the Rules, 2019.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made in the F.I.R. as well as the information given to this Court on behalf of the petitioner that he is ready to deposit the compounding fee as per the provision of Rules, 2019, the petitioner may file an affidavit annexing the receipt given by the Mines department confirming the fact that the petitioner has deposited the entire amount of compounding fees, in that case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jhanjharpur in connection with Khutauna P.S. Case No. 106 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

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

