

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11793 of 2024

Arising Out of PS. Case No.-293 Year-2023 Thana- BATHNAHA District- Sitamarhi

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1. Munna Mahto @ Munna Kumar S/O Vindeshwar Mahto R/O Village- Dighi, P.S- Bathnaha Distt.- Sitamarhi.
 2. Chandan Mahto @ Chandan Kumar S/O Rabindra Mahto R/O Village- Dighi, P.S- Bathnaha Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Saurabh Abhishek, Mining Inspector, Sitamarhi. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ravi Ranjan, Advocate
For the Opposite Party/s :	Mr.Uma Shankar Prasad Singh, APP
For the Mines	Mr. Naresh Dikshit, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-05-2024 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under section 379 of the Indian Penal Code and Rules 11 and 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Amendment Rules, 2021.

3. As per the prosecution case, petitioners caused loss of revenue of Rs.6 lacs to the Government exchequer by illegally cutting soil from the Government Math.

4. Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. As a matter of fact, no soil has been extracted and transported from the Government Math, rather it was from the private land. However, petitioners are ready to deposit a part of the said loss amount, without prejudice to their



case.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let the petitioners, mentioned above, be enlarged 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 Judicial Magistrate 1st class, Sitamarhi in Bathnaha Police Station Case No. 293 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure on the condition that the petitioners would deposit Rs.2 lacs in the Nazarat of the Civil Court and shall file its receipt at the time of furnishing bail bonds.

6. Said deposit shall be subject to the outcome of the pending cases.

Shashi

(Prabhat Kumar Singh, J)

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