

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16463 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- BARABAR TOURIST District-
Jehanabad

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Baiju Kumar S/o Muni Yadav R/o vill - Audan Bigha, P.s. - Barabar Tourism,
Distt. - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mines Inspector, Mining Office, Jehanabad District Jehanabad Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alexander Ashok

For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 379, 411 of the Indian Penal Code, sections 4/21 of the Mines and Mineral (Development & Regulation Act, 1957 and sections 11/43 of the Bihar Minerals (Concession and Prevention of Illegal Mining, Transport & Storage Rules, 2019.

3. As per prosecution case, allegation against the petitioner is of indulging in the illegal trade of sand. The petitioner is said to be liner who was was arrested by the police.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is submitted vide para 6 & 7 of the petition that the mining officer has not give any details of the exact place of recovery, as it was recovered from gairmazarua land having no concern with the petitioner. He was only passer by and was behind the police vehicle but he was arrested on the basis of suspicion. It is further submitted that the petitioner is languishing in judicial custody since 29.12.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barabar Tourism (Bishunganj OP) P.S. Case No. 147 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad.

(Sunil Kumar Panwar, J)

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