

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18351 of 2024

Arising Out of PS. Case No.-569 Year-2023 Thana- KOILWAR District- Bhojpur

1. Prakash Kumar S/o- Rambabu Rai Village- Semra Rampur Bindgawan, P.S.- Barhara, District- Bhojpur
2. Ravindra Rai son of Avadhkumar Rai Village- Pacharukhiya Kala Ps- Barhara Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-05-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Sections 379, 411/34 of the Indian Penal Code, Sections 11, 56(i), 56(ii) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2021 and Section 4/21 of the Mines and Minerals (Development and Regulation) Act.

3. As per F.I.R., these petitioners were found involved in illegal mining of sand and proclain of the petitioners were recovered from the place of occurrence, thereby, causing revenue loss of Rs. 64,06,250/-.



4. The petitioners have offered to deposit Rs. 5,00,000/- in installments, without accepting their guilt.

5. Considering the contention made on behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P. S. Case No. 569 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioners shall deposit Rs. 2,50,000/- (Rs. Two Lacs and Fifty Thousand) in the Nazarat and will produce the receipt of the same at the time of furnishing bail-bonds in the court below and thereafter, rest amount i.e., 2,50,000/- (Rs. Two Lacs and Fifty Thousand) shall be deposited in two equal installments within six months in the Nazarat, failing which, the learned court below would be at liberty to cancel the bail-bonds.

6. It is made clear that without going into the merit of the case, this order has been passed only for the purpose of bail



and payment of aforesaid amount shall be subject to the final
outcome of the case.

(Prabhat Kumar Singh, J)

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