

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18268 of 2024**

Arising Out of PS. Case No.-650 Year-2016 Thana- HILSA District- Nalanda

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1. NIRANJAN KUMAR SON OF LATE SITA RAM PRASAD R/O-NEMNA TOLA, P.S.-HILSA, DISTT.-NALANDA
  2. BHUTALI GOPE @ BHUTALI PRASAD SON OF LATE LAKHAN PRASAD @ LATE LAKHAN GOPE R/O-NEMNA TOLA, P.S.-HILSA, DISTT.-NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SRI SHAILENDRA NATH SON OF NAGENDRA NATH ASSISTANT DIRECTOR OF MINES AND MINERAL DEPARTMENT, NALANDA, R/O-LIMA, P.S.-SASARAM, P.O.-KANCHANPUR, DISTT.-ROHTAS

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate  
For the Opposite Party/s : Mrs. Anita Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      18-04-2024                      Learned Counsel for the petitioner, Mr. Anil Kumar

Singh submits that during the pendency of the petition, petitioner no. 2, namely, Bhutali Gope @ Bhutali Prasad has been arrested and as such, he intends to withdraw the petition against him, the same is accordingly dismissed as infructuous.

2. Heard learned Counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest in connection with Hilsa P.S. Case No. 650 of 2016 for the offence registered under sections 420, 467 and 379 of the Indian Penal Code and section 4/40 of the Bihar Minor Minerals Concession 1972 Rules 8 of Bihar Mineral Illegal Mining & Transportation Stores of Prevention lodged on 19.12.2016 by the informant, Shailendra Nath.



4. As per the F.I.R. which was recorded eight years ago in 2016, the tractors with registration nos. incorporated in it were indulged in illegal mining. Accordingly, the F.I.R.

5. Learned Counsel for the petitioner submits that he never came to know about his accusation and as such, delayed coming to the Court.

6. Learned A.P.P. has pointed out that the F.I.R. is of the year 2016 and eight years later, he is seeking relief.

7. Taking into account the aforesaid facts, it would be appropriate that the petitioner no. 1 seeks bail.

8. Cr. Misc. No. 18268 of 2024 stands rejected.

9. However, if the petitioner no. 1 surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same preferably on the same day.

**(Rajiv Roy, J)**

Neha/-

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