

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25094 of 2024

Arising Out of PS. Case No.-598 Year-2023 Thana- KOILWAR District- Bhojpur

Muneshwar Ray Son of Saukhi Ray @ Sarbi Ray Resident of Suraundha Colony (Ward no. 11), Koilwar, Bhojpur, Bihar- 802160 P.S. Koilwar, Distt.- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Deptt. of Mines, through Mines Secy., Government of Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411/34 of the Indian Penal Code, Sections 4, 21 of Mines and Minerals (Development And Regulation) Act, 1957 and Sections 11, 56(1) and 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2021.

3. This petitioner is alleged to be indulged in illegal mining, transportation and stocking of sand.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case only on



suspicion. Petitioner is neither owner nor driver of the poclain machine in question. Similarly situated co-accused Doman Ray has already been granted anticipatory bail by this Court, vide order dated 17.02.2024 passed in Cr.Misc. No. 5457 of 2024 (Annexure 4/1)Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Ara in connection with Koilwar P.S. Case No. 598 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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