

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39503 of 2024

Arising Out of PS. Case No.-710 Year-2023 Thana- BELAGANJ District- Gaya

1. Karu Singh @ Ranjeet Kumar Son Of Kapildev Singh Resident Of Village - Sripur, Fatehpur, P.S. - Belaganj, District - Gaya
2. Bullet Kumar @ Rajeev Ranjan Kumar Son Of Shyamnandan Singh Resident Of Village - Sripur, Fatehpur, P.S. - Belaganj, District - Gaya
3. Binod Kumar @ Binod Mahto Son Of Mundrika Singh Resident Of Village - Sripur, Fatehpur, P.S. - Belaganj, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Additional Chief Secretary Cum Principal Secretary, Mines And Geology Bihar, Patna

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52794 of 2024

Arising Out of PS. Case No.-710 Year-2023 Thana- BELAGANJ District- Gaya

Santosh Kumar @ Santosh Singh SON OF Baysh Singh Vill - Kazi, Daulatpur, P.S- Belaganj, Dist - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 39503 of 2024)

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 52794 of 2024)

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioners and learned APP for the State.



2. The petitioners are apprehending their arrest in connection with Belaganj P.S. case No. 710 of 2023 registered under Sections 379, 411 of the Indian Penal Code, 21 of the Mines and Mineral (D & R) Act, 1957 and 56 of Bihar Mineral Rules, 2021.

3. The prosecution allegation, in short, is that the informant along with the Mines Inspector raided different places within Belaganj in respect of hoarding sand illegally at different places. In course of such raid, the raiding team found the evidence of hoarding and sale of 184700 cubic feet sand illegally in village Simra causing loss to the tune of Rs. 1,96,24,375/- to the revenue of the State Government and they also came to know the accused persons are involved in transporting the sand illegally from Falgu river and selling illegally.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged occurrence. The petitioners have criminal antecedents. It is further submitted that from the materials available on record, no case under



Section 379 and 411 of the I.P.C. is made out against the petitioners.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP submits that the petitioners have criminal antecedents and they are actively involved in illegal selling of sand causing loss to the revenue of the State Government. Co-accused have been granted privilege of regular bail by this Court. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the nature of allegation as well as criminal antecedents of petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. Prayer is rejected.

7. However, if the petitioners surrender in the Court below and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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