

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42313 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Kumar Rajnish, Male, aged about 26 years, S/O RAM BALI RAY, R/o
Dhepura, ward no 15, Dalsing Sarai P.S. - Dalsing Sarai , District Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rana Neha Kumari, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-11-2024 Heard Ms. Rana Neha Kumari, learned counsel

 appearing on behalf of the petitioner and Mr. Mr. Dinesh Singh,

 learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Naya Ram Nagar P.S. Case No. 207 of 2023 registered for
the offence(s) punishable under Sections 379, 120B/34 of the
Indian Penal Code.

3. As per the allegation made in the FIR, four trucks
were seized loaded with stone chips.

4. Learned counsel appearing on behalf of the
petitioner submitted that offence is compoundable under Section
56(2) of the Bihar Minerals (Concession, Prevention of Illegal
Mining Transportation and Storage) Amendment Rules and
seeks to deposit the amount of compensation in accordance with



the provision of the said Section.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of parties, as well as, the provision of Section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining Transportation and Storage) Amendment Rules, the petitioner is directed to submit the compounding fee, as well as, the amount of penalty, if any, before the District Mining Officer concerned. The District Mining Officer, after being satisfied, is directed to issue certificate to the extent that the offence has been compounded after the petitioner has deposited the required amount of penalty. The above exercise is required to be carried out within a period of four weeks from the date of passing of the this order. The District Mining Officer or competent authority-cum-District Magistrate must not delay to act upon on or before the expiry of four weeks and communicate the same to the learned District Court within the said period. **During the time taken in process, no coercive action is required against the petitioner.** Thereafter, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of



eight weeks from today, on furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned A.C.J.M.-I, Munger in
connection with Naya Ram Nagar P.S. Case No. 207 of 2023,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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