

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46933 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- SONO District- Jamui

Subhash Kumar Ray Son of Siyaram Ray R/O Vill.- Muktiyarpur, P.S.-
Dalsinghsarai, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mining Inspector, Bihar Minerals Concessions Prevention of Illegal Mining
of Transportation and Storage, Dist.- Mining Office, Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-08-2024 Heard learned counsel for the petitioner as well as
learned APP, Mr. Chandra Bhushan Prasad.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 419, 420, 467, 468, 471, 379, 411 of the IPC, Section
21 MMDR Act, 1957 and Section 56(2) of Bihar Minerals
(Concession, Prevention of Illegal Mining, Transportation and
Storage) Rule 2019 in connection with Sono P.S. Case No.16 of
2024.

3. The S.H.O. in compliance of the order dated
12.08.2024 is present in the Court.

4. The learned APP submits that the Investigating
Officer of the case could not come as he has gone to Gujarat for



investigating a case.

5. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 10.01.2024 during special raid two trucks with same registration number loaded with illegal sand were apprehended along with the driver and khalasi of one of the truck, further the first truck was loaded with 940 CFT of illegal sand while the second truck was loaded with 1000 CFT of illegal sand.

6. The learned counsel for the petitioner submits that the offence is compoundable and petitioner has paid the fine as would manifest from Annexure-4 and 4/A to the anticipatory bail application. It is also submitted that District Mining Officer has issued Annexure-2 which is letter no.132 dated 25.01.2024 wherein he has clarified the issue that by mistake the challan was issued of both the trucks with the same registration number.

7. The learned APP opposes the anticipatory bail application, but then fairly submits based on instruction that he is not disputing Annexure-2 to the anticipatory bail application.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist, Jamui in connection with Sono P.S. Case No.16 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

