

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47369 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- KOILWAR District- Bhojpur

Brahamdev Ray Son of Prithvi Rai R/O Vill.- Rajapur Pachrukhiya, P.S.-
Koilwar, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Department Of Mines Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumarm Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Mines	:	Mr. Naresh Dikshit
		Mr. Brij Bihari Tiwary, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379, 420 of the Indian Penal Code and under sections 11, 56 of the BP (CIMTS).

3. As per prosecution case, petitioner along with other alleged to indulged in illegal mining and transportation of sand and thereby caused revenue loss of Rs. 1,69,000/-.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has been falsely implicated in this case. The petitioner was not present at the time of alleged occurrence. The petitioner has been made



accused on the basis of statement of Chowkidar. However, at this stage, petitioner is ready to deposit Rs. 25,000 (Rupees Twenty Five Thousand) to Mining Department.

5. Considering the aforesaid facts and circumstances, prayer for grant of anticipatory bail to the petitioner is allowed.

6. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara/concern court in connection with Koilwar P.S. Case No. 136/2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

- A. At the time of furnishing bail-bond **Rs. 25,000/-** (Rupees Twenty Five Thousand) shall be paid to the District Mining Officer, Bhojpur, Ara through demand draft.
- B. If petitioner fails to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.

7. It is made clear that without going into the merit



of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

Ranjeet/-

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

