

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65803 of 2024

Arising Out of PS. Case No.-26 Year-2023 Thana- RISIYAP District- Aurangabad

Deepak Kumar Singh Son of Sanjay Singh Resident of Village- Khaira
Harnath, P.S- Risiyap, District- Aurangabad Petitioner
Versus

1. The State of Bihar Bihar
2. The State of Bihar through Principal Secretary, Department of Mines, Bihar
Bihar . .. Opposite Party

Appearance :

For the Petitioner : Mr.Nikita Mittal, Advocate
For the Opposite Party/s : Ms/Mrs. Suman Kumari Singh, A.P.P.
Mr. BB Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner, State and informant/opposite party no. 2.

2. The petitioner apprehends arrest in a case punishable for the offence under Sections 379, 411 of the Indian Penal Code.

3. Petitioner's tractor was caught loaded with 100 CFT sand.

4. Learned counsel for the petitioner submits that the petitioner is owner of the said tractor alleged to be engaged in illegal sand mining. However, at this stage, without admitting his guilt, the petitioner is ready to deposit the loss incurred to the Mines Department.

5. Learned counsel for the opposite party no. 2 does not oppose the bail prayer.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, 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 Judicial Magistrate 1st class, Aurangabad in connection with Risiyap Police Station Case No. 26 of 2023,



subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions: At the time of furnishing bail-bond, the petitioner shall deposit Rs. 35,000/- in the office of Mines Department, Aurangabad and receipt of the same shall be furnished alongwith bail-bond.

7. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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