

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77141 of 2023

Arising Out of PS. Case No.-281 Year-2023 Thana- WARISNAGAR District- Samastipur

Amiri Ray @ Amiree Roy Son Of Lalo Rai Resident Of Village - Bhagi
Mannipur, P.S. - Warisnagar (MATHURAPUR Op), District - Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Subham Kumar Singh, Mines Inspector, Samastipur Through Mines And
Geology Dept., Govt. Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-01-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Warisnagar (Mathurapur O.P) P.S. Case No.
281 of 2023 dated 09.08.2023 registered for the offence
punishable u/s 379 and 411 of the Indian Penal Code and
Sections 4 and 21 of the Bihar Minerals (Concession,
Prevention of Illegal Mining, Transportation and Storage Rules,
2019).



4. As per the prosecution case, the allegation against the petitioner is of storing white sand illegally without getting license from the Mining Department which caused loss of Rs. 12,99,250/-.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. It is further alleged that the petitioner has license of Mining Department, Samastipur for digging soil.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Warisnagar (Mathurapur O.P) P.S. Case No. 281 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with



further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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