

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83948 of 2023

Arising Out of PS. Case No.-406 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. SHYAM KUMAR MAHTO SON OF RAM BILASH MAHTO R/O VILLAGE- BALIRAMPUR, PATAILI, P.S.- UJIYARPUR, DIST.- SAMASTIPUR
 2. BAIJ NATH SAHNI SON OF SITA RAM SAHNI R/O VILLAGE- WARD NO.-7, BALIRAMPUR, PATAILI, P.S.- UJIYARPUR, DIST.- SAMASTIPUR
 3. JAY KISHUN SAHNI @ JAI KISHUN SON OF BANDUK SAHNI R/O VILLAGE- WARD NO.-7, BALIRAMPUR, PATAILI, P.S.- UJIYARPUR, DIST.- SAMASTIPUR
 4. ARUN KUMAR RAY SON OF SHRI BHAJJAN ROY R/O VILLAGE- RAMCHANDRAPUR, P.S.- UJIYARPUR, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE DIRECTOR MINES GOVT. OF BIHAR, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 379, 411, 420 of the IPC and
Mines and Minerals Development and Regulation Amendment
2021, Act 4/0021.

3. Allegedly, four vehicle indulged in illegal mining near the
restricted area has been seized by the Mining Inspector.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. Petitioners are the drivers of the seized vehicles and there is no specific overt act against them. The soil which were loaded over the tractor were not extracted from any restricted area. Petitioners are not the owners of the vehicles. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Samastipur (Muffasil) P.S. Case No.406 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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