

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86302 of 2023

Arising Out of PS. Case No.-582 Year-2022 Thana- AMARPUR District- Banka

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Rohit Kumar @ Rohit Paswan @ Rohit Kumar Paswan S/o Ambo @ Amod
Paswan @ Ambo Paswan R/O VILL-RAJAPUR, PS-AMARPUR,
DISTRICT-BANKA Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Amarpur P.S. Case No. 582 of 2022 registered under Sections 379 and 411 of the Indian Penal Code, section 21 of MMDR Act, 1957, 56 Bihar Minerals Concession Preventional of Illegal Mining Transportation and Storage Rules 2019, 15 of EPF Act, 1986 lodged on 20.10.2022 by the informant, Khurshid Alam.

As per the prosecution story, the allegation is that on secret information, the police arrived near Birma Sand Ghat where 10-12 tractors were getting loaded. Those present there tried to escape but one of them was apprehended. He was Vipin Kumar Singh and he named this petitioner as one of them. Accordingly, the FIR.



It is the case of the learned counsel for the petitioner that Vipin Kumar Singh has made confession and named him though none of the vehicles that were seized belonged to him. The further submission is that only because he has criminal antecedent, he has been implicated in this case.

Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent of the same nature. The further submission is that he has delayed coming to the Court, the matter being of 2022.

Taking into account the aforesaid facts as also the submission put forward by the parties and the petitioner has criminal antecedent, this is not a fit case for grant of anticipatory bail which is accordingly rejected.

However, if the petitioner surrenders in the Court below within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same without being prejudiced by the present order on the same day.

(Rajiv Roy, J)

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