

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.62 of 2024

Arising Out of PS. Case No.-463 Year-2023 Thana- NAGAR District- Vaishali

Mukesh Kumar Singh S/o Ram balak Singh Resident of Village - Majlishpur,
Govindpur, Gokhula, P.S. Bidupur, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The state of Bihar through the Principal Secretary, Mines and Geology, Deptt., govt. of Bihar, patn Bihar
2. The District Magistrate, Vaishali at Hajipur. Bihar
3. The Superintendent of Police, Vaishali at Hajipur. Bihar
4. The District Mining officer, Vaishali at Hajipur. Bihar
5. The S.H.O. Town Police Station, Hajipur. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh
For the Respondent/s : Mr. Sc.28

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-06-2024 This application has been filed for issuance of an appropriate writ for quashing of F.I.R. bearing Town P.S. Case No. 463 of 2023 by which vehicle has been seized for the offences punishable under Section 379 and 411 of the IPC and Rule 56 of Bihar Mineral (Concession, Prevention of illegal Mining, Transportation & Shortage) Rules, 2019.

2. The petitioner has been found to be involved in illegal sand mining. This kind of F.I.R cannot quashed on the basis of affidavit.

3. I have considered and perused the materials available on record.



4. Considering the law laid down by the Hon’ble
Supreme Court in the case of *Neeharika Infrastructure (P) Ltd.*
V/s State of Maharashtra & Ors reported in *(2020) 10 SCC*
118, this application is dismissed.

(Sandeep Kumar, J)

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