

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2578 of 2024

Arising Out of PS. Case No.-304 Year-2022 Thana- BELAGANJ District- Gaya

Mantu Kumar @ Mantu Mahto @ Dharamjeet Kumar son of Jagdish Prasad
@ Jagdish Singh Village- Shripur Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mines and Geology Department, Govt. of Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar
For the Opposite Party/s	:	Mr. Shyameshwar Dayal
For the State	:	Mr. Umanath Mishra, APP

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

ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Belaganj P.S Case No. 304/2022 dated 22.06.2022 registered for the offence punishable under Section 379 of the Indian Penal Code, Section 21 of the Mines and Minerals Act in short MM (D & R) Act & Section 56 of the Bihar Minerals (Prevention of illegal Mining, Transportation and Storage) and Section 15 of the Environment Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have stolen the sand illegally.

4. Learned counsel for the petitioner has submitted



that the petitioner have falsely been implicated in this case on mere suspicion. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The name of the petitioner has sprung up in this case from the disclosure made by local villagers. There is a delay in lodging the F.I.R. and there is no plausible explanation for the same. Similarly situated co-accused persons have already been granted anticipatory bail by this Court vide order dated 30.10.2023 passed in Cr. Misc. No. 38339 of 2023. Learned counsel has further submitted that the petitioner is student and has no concern with the stolen sand.

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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, 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, Gaya in connection with Belaganj P.S Case No. 304/2022, subject to conditions as laid down under section



438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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