

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7240 of 2025

Arising Out of PS. Case No.-649 Year-2017 Thana- DEHRI TOWN District- Rohtas

1. Dharmendra Kumar Singh S/O Late Ram Sighasan Singh R/o - Gopi Bigha, P.S - Dehri (M) District - Rohtas
2. Mithilesh Singh @ Bharat Singh Yadav Son of Ratan Singh R/o - Gopi Bigha, P.S - Dehri (M) District - Rohtas
3. Parshuram Singh @ Bimleswar Bharti Son of Late Ram Naresh Singh R/o - Gopi Bigha, P.S - Dehri (M) District - Rohtas
4. Kailash Singh Son of Late Ganesh Singh R/o - Gopi Bigha, P.S - Dehri (M) District - Rohtas
5. Lakshuman Singh S/O Late Dwarika Singh R/o - Gopi Bigha, P.S - Dehri (M) District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 40(1) of the Bihar Mining Act, Section 379/34 of the Indian Penal Code and Sections 33, 41 and 42 of the Indian Forest Act.

3 . As per the prosecution case , allegation against these petitioners is that they along with other accused persons operated the stone crusher machines from his field.



4. It is submitted on behalf of the petitioners that they are not the owners of the land where unauthorizedly quarried stones are being crushed into stone chips. The said land belongs to Chandradev and Ramraj and as such, petitioners cannot be held liable for the said offence . Similarly situated co-accused person has already granted bail by this Court vide order dated 31.08.2023 in Cr. Misc. No. 57486 of 2023 .

5 . Learned counsel for the State opposes the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri, Rohtas, in connection with Dehri (Town) P.S. Case No. 649 of 2017, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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