

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16359 of 2025

Arising Out of PS. Case No.-63 Year-2023 Thana- ASANWA District- Siwan

Dayashankar Pandey @ Daya Shankar Singh Son of Late Ram Sagar Pandey
@ Rama Shankar Pandey Resident of Village- Pachbenia, P.O.- Kasila, P.S.-
Assaon, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. The Director, Mines Department, Bihar, Patna Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Tiwary
For the Opposite Party/s	:	Mr.Nirmala Kumari
For the Mines Dept.	:	Mr. Naresh Dixit
		Mr. Brij Bihari Tiwary

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner, learned
counsel for the Mining Department and learned APP for the
State.

2. The petitioner apprehends his arrest in
connection with Assaon P.S. Case No. 63 of 2023 registered for
the offence under Sections 379 of the Indian Penal Code and
Section 21 of the MMDR Act, Section 38 of the Mineral Rule,
2019 and Section 15 of the Environmental Protection Act.

3. As per the prosecution case, the petitioner is
accused of running a brick kiln without having license.

4. In paragraph 9 of the anticipatory bail petition,
following submission has been made:-

*“That it is humbly submitted that the
petitioner is ready to pay the amount in
installments.”*

5. Considering the aforesaid submission made in



paragraph 9 of this petition, this application is allowed.

6. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, **be released on provisional bail for a period of six months from the date of his release**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Siwan/concerned Court below in connection with Assaon P.S. Case No. 63 of 2023.

7. It is made clear that the provisional bail granted to the petitioner is for enabling him to pay Rs. 4,25,000/- in the Court below within the stipulated period of six months and if such an amount is paid, the same shall be released in favour of the Mining Department, Government of Bihar by the Court below. If the entire amount is paid to the Mining Department within the stipulated period of six months then the provisional anticipatory bail granted to the petitioner shall be confirmed.

8. With the aforesaid directions, this application stands allowed.

(Sandeep Kumar, J)

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