

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15666 of 2025

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

Mithilesh Kumar @ Mithlesh Kumar Son of Rajesh Kumar Singh Resident of
Village- Rampur, P.S.- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Amarpur P.S. Case No. 582 of 2022 registered for the offences punishable under Sections 379, 411 of the Indian Penal Code, Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957, Section 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and Section 15 of the Environment (Prevention) Act, 1986.

3. As per the prosecution case, the petitioner and other co-accused persons are indulged in the illegal mining and transportation of sand near '*Birma Sand Ghat*'. On seeing the



police personnel, all the drivers succeeded to flee from spot leaving vehicles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner is a man of clean antecedent. Nothing has been recovered from the conscious possession of the petitioner. The petitioner's name has transpired as being owner of one the seized motorcycles. Petitioner is not the owner of any seized tractors allegedly seized from the place of occurrence. Other co-accused has been granted regular bail by this Court vide order dated 02-12-2023, passed in Cr. Misc. No. 74758 of 2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Amarpur P.S.



Case No. 582 of 2022, subject to the conditions as laid down
under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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