

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62922 of 2024

Arising Out of PS. Case No.-1278 Year-2023 Thana- SHERGHATI District- Gaya

Prince Singh @ Uttam Kumar Son of Shambhu Sharan Singh Resident of
Vill- Ghaghar, P.S.- Shirghati, District- Gaya.

... .. Petitioner/s

Versus

- 1. The State of Bihar Patna
- 2. Prakhar Pragya S/o Not Known Mines Inspector, District Mines Department,
P.S. - Sherghati, Distt. - Gaya

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 70797 of 2024

Arising Out of PS. Case No.-1278 Year-2023 Thana- SHERGHATI District- Gaya

Rewa Yadav S/O Sonu Yadav @ Late Sonu Das R/O Village- Bharari, P.S-
Sherghati, Dist.- Gaya.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Prakhar Pragya D/O Bhudev Prasad Singh The Mines Inspector, District
Mines Office Gaya.

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 62922 of 2024)
For the Petitioner/s : Mr. Vardaan Mangalam
For the State : Mr. Chandra Bhushan Prasad
For the Mines Dept. : Mr. Naresh Dikshit
(In CRIMINAL MISCELLANEOUS No. 70797 of 2024)
For the Petitioner/s : Mr. Vijay Kumar
For the State : Mr. Tarkeshwar Nath Thakur
For the Mines Dept. : Mr. Naresh Dikshit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 14-02-2025 Heard learned counsels for the parties.

2. As both these bail applications have cropped up from the
same police station case number, hence, with consent of parties,



they are being heard together and disposed of by this common order.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379, 411 of the Indian Penal Code and 21 of MM (D & R) Act, 1957 and BM (CPIMTS) Amendment Rule-56, 2019.

4. The allegation against the petitioners is that they along with other co-accused persons were involved in illegal mining and transportation of sand without having a valid license, which has incurred a revenue loss of Rs.16,86,400/- to the Government.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. It is submitted that petitioners are agreed to deposit Rs.3,00,000/- **each** in the District Mining Office, Gaya. Petitioner namely, Prince Singh, has no criminal antecedent and petitioner namely, Rewa Yadav has two criminal antecedents.

5. Learned APP for the State as well as learned counsel for the Mines Department opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on *provisional* bail for a period of three months, in the event of their arrest or



surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** 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 Sherghati P.S. Case No.1278 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the *provisional* bail of the petitioners shall be confirmed by the learned Court below itself after satisfying that the petitioners have paid Rs.3,00,000/- **each** in the District Mining Office, Gaya.

8. Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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