

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74922 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- Dehri Mufassil District- Rohtas

Satyendra Gond @ Satyendra Prasad S/o Baijanath Gond R/o Village-
Bhadakudia P.S Pahleja District of Rohtas Petitioner/s
Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP
For the Mines Dept.	:	Mr. Naresh Dikshit, Spl.P.P. for Mines Mr. Utsav Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr. Sunil Kumar, learned counsel for the petitioner, Mr. Naresh Dikshit, learned counsel appearing on behalf of the Mines Department as well as Mr. Aditya Narayan Singh.1, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dehri (M) P.S. Case No. 116 of 2024, F.I.R. dated 12.07.2024 for the offences punishable under Section 303(2) of Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, this petitioner along with another co-accused person were involved in doing illegal mining and caused a loss of Rs. 64,21,657/- to the Government.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offences as alleged in the F.I.R. He further submits that on the basis of the statement of independent witnesses, the present F.I.R has been instituted against the petitioner and other similarly situated accused persons. He further submits that although the Mines Department has settled the land in favour of 17 persons and except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. The learned counsel appearing on behalf of the Mines Department as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no specific allegation against the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Rohtas, Sasaram in connection with Dehri (M) P.S. Case No.



116 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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