

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75552 of 2024

Arising Out of PS. Case No.-397 Year-2024 Thana- RAJAOLI District- Nawada

Shrawan Kumar @ Sarwan Kumar @ Shravan Kumar S/O- Kuleshwar Prasad
@ Fuleshwar Prasad Village- Khudkarma @ Karma Khurd Ps- Sirdalla Dist-
Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director, Bihar Mines and Minerals, Govt. of Bihar, Patna
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh
		Mr. Naresh Dixit

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-01-2025 Heard the learned counsel for the petitioner, learned
APP for the State and learned counsel for the Bihar Mines and
Minerals.

2. The petitioner seeks regular bail in connection with
Rajaoli P.S. Case No. 397 of 2024 registered for the offence
under Sections 303(2), 317(2), 111(2) of the BNS, under Section
15 of Environment Protection Act, under Section 4 and 21 of the
Mines and Minerals (Regulation of Development) Act and
under Section 11 of Bihar Minerals (Concession, Prevention of
Illegal Mining Transportation and Storage) Rules, 2019.

3. As per the prosecution case, the petitioner and
others are alleged to have been involved in illegal sand mining.



Three tractors were also seized. Petitioner is the driver of one of the tractor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence and he is in custody since 14.08.2024.

5. Learned special counsel for the Mining Department has vehemently opposed the prayer for bail by filing counter affidavit and has submitted that the petitioner was caught on the spot by the raiding team as the driver of one of the tractors.

6. Considering the fact that the petitioner was caught on the spot by the raiding team, I am not inclined to grant bail to the petitioner.

7. Accordingly, this application for regular bail is dismissed.

(Sandeep Kumar, J)

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