

BA No.308 of 2024.
CNR No.PBPO010013412024.
Date of Institution:10.04.2024.
Date of Decision:18.04.2024.

Aditya Singh Wazir aged 33 years son of Sh. **Versus** **State**
Ashok Singh, resident of House No.66, Wazir
Lane, Talab Tillo, Jammu (J&K).

FIR No.17 of 08.04.2024
U/S 4(1)(A), 21(1) Mines and
Minerals Act, 1957 read with
Section 379 IPC (Sectikon 120-
B IPC added lateron).
P.S. Nangal Bhoor.

Present: Sh. Sanya Mahajan Advocate counsel for the applicant-
accused.
Ms. Ambica Gupta, Addl. PP for the State.

ORDER:-

1. Heard on the pre-arrest bail application under Section 438 of the Code of Criminal Procedure, in the above mentioned case.
2. The allegations are regarding illegal mining activity near M/s Shiva Stone Crusher. The applicant/accused is owner of the said stone crusher. It has not been ascertained during investigation that place where alleged mining was being done belongs to whom. No mining material has been taken into possession.
3. In the given facts and circumstances, this Court deems it fit to grant the concession of pre-arrest bail to the applicants/accused. Learned counsel for the applicant/accused has assured that he shall fully co-operate the Investigating Agency. As such, the applicant/accused is directed to join the investigation within 7 days from today and in the event of his arrest, he be released on bail on furnishing of bail bonds in the sum of Rs.50,000/- with one surety in the like amount each as per the satisfaction of the investigating/arresting officer subject to the following conditions:-

- i) that he shall join the investigation as and when required by

the police;

ii) that he will not interfere in the investigation;

iii) that he will not leave India without prior permission of the trial court;

iv) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

v) The furnishing of above bonds shall be deemed acceptance that once the trial begins, the applicant shall not, in any manner, try to delay the proceedings, and undertakes to appear before the concerned Court and to attend the trial on each date, unless exempted. In case of an appeal, on these very bonds, the applicant also promises to appear before the higher Court in terms of Section 437-A Cr.P.C.

vi) The accused as well as surety shall submit atleast two of the following documents at the time of furnishing the bonds:

(a) Passport,

(b) Pan Card Copy,

(c) Bank Passbook,

(d) Credit Card with photograph,

(e) Ration card,

(f) Electricity bill,

(g) Landline telephone bill,

(h) Voter ID Card issued by the Election Commission of India,

(i) Property Tax Register,

(j) Aadhaar Card.

vii) The accused as well as surety shall inform the police authorities as well as court about the change of his/her residential address, if any.

4. Nothing stated here-in-before shall have any bearing on the merits of this case. Bail application is allowed accordingly. The police file be returned and bail application file be consigned to the record room.

Pronounced in open Court:

Dated :18.04.2024

Bikram Chugh/JW

**Ravdeep Singh Hundal,
Additional Sessions Judge,
Pathankot.UID/PB0162.**