

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25292 of 2018

Arising Out of PS. Case No. -31 Year- 2018 Thana -SILAW District- -

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Mahendra Yadav @ Mahendra Prasad, son of Late Ramjee Yadav, resident
of Village- Gurudeyal Bigha, Police Station- Silao, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 25-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Silao P.S. case no. 31 of 2018 for the offence under Sections
379/353 of the Indian Penal Code, Sections 4, 5, 6 and 7 of the
Bihar Minerals (Prevention of Illegal Mining, Transportation and
Storage) Rules, 2003 and Sections 4/40 of the Bihar Minor
Minerals Concessions Rules, 1972 .

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and he has no connection
with the illegal sand mining. Learned counsel submits that nothing
has been recovered from the conscious possession of the petitioner
and as such fastening the liability of the illegal mining on the
petitioner is palpably false.



Considering the fact that the petitioner has no criminal antecedent and nothing has been recovered from the conscious possession of the petitioner, the petitioner, named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Silao P.S. case no. 31 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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