

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39814 of 2018**

Arising Out of PS.Case No. -288 Year- 2016 Thana -DEHRI TOWN District- SASARAM  
(ROHTAS)

=====

1. Kael Yadav @ Kail Yadav Son of Satyendra Yadav Resident of Village-  
Supabigha, P.S. Dehri, District- Rohtas. .... Petitioner/s

Versus

1. The State of Bihar .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      26-09-2018                      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 149, 337, 353, 379, 411 of the Indian Penal Code, Sections-4(1-a)2, (i) of D.E. Act, Section-40(1) of the Indian Forest Act and Section-47(a)(e) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that some crusher machines were found running illegally for producing stone chips.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. General and omnibus allegation has been made. The accusation in respect of running illegal crusher machines for producing stone chips is against the other accused persons. None of the crusher machines



belongs to the petitioner. Altogether 33 persons have been named in the FIR along with 75-80 unknown persons. The other similarly situated co-accused namely, Ram Sakal Mahto and Akhilesh Mahto have been granted anticipatory bail by a coordinate bench of this court vide order dated 04-04-2017 passed in Cr. Misc. No. 11872 of 2017.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional District & Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Dehri (T) P.S. Case No. 288 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

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