

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44117 of 2019**

Arising Out of PS. Case No.-20 Year-2019 Thana- ASHTHAWAN District-
Nalanda

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DHANANJAY YADAV @ DHANANJAY KUMAR, aged about 37 years, male,
Son of Bodhi Yadav @ Dwarika Prasad Resident of Village - Kashochak,
Nakatpura, P.S.- Bihar, District- Nalanda

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Mining Department, Bihar, Patna Bihar

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajeev Kumar, Advocate.
For the State : Mr. P.K. Jha, APP
For the Mines Department: Mr. naresh Dikshit, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 379, 188 and 353/34 of the Indian Penal
Code, 4/40 B.M.M.C.R. Act, 1972, 3/4/6 Bihar Transportation and
Storage Act & 4(1) A.M.M. (DR) Act registered in connection with
Ashthawan P.S. Case No. 20 of 2019.

3. It is submitted that the petitioner has been falsely
implicated merely on suspicion, except there is no objective
material to connect the petitioner with the alleged occurrence. It
is submitted that it is incorrect to say that the petitioner is the
owner of the J.C.B. and Tractor rather he is the owner of the



seized motorcycle.

4. Learned APP assisted by learned counsel for the Mines Department opposes the anticipatory bail petition, submitting that the petitioner is allegedly the owner and driver of the subject Tractor loaded with sand and has been instrumental in obstruction in discharge of duties by the police.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law, without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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