

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66147 of 2019

Arising Out of PS. Case No.-184 Year-2019 Thana- SURYAGARHA District- Lakhisarai

YAMUNA YADAV S/o Late jay Narayan Yadav @ Late Narayan Yadav R/o
village- Kharra, P.S.- Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 05-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Surajgarha P.S. Case no. 184 of 2019, registered under Sections 147, 148, 149, 279, 353, 337, 307, 427, 379 and 411 of the Indian Penal Code and Section 4/40 of the Bihar Mineral Minor Concession Act, 1972 and Section 4/6/8 of Bihar control of Prevention of Illegal Mining Transportation and Storage Act and Section 15 of the Environment (Protection) Act, 1986.

The accusation is that while informant and other Police personnel were engaged in checking the vehicles carrying the illegal extracted stones/sand and overloaded vehicles in that course signal was given to stop the vehicle, but driver of the vehicle tried to crush the Police party accelerating



the speed of the vehicle and in that course, one tractor lost his balance and turn turtle, which was seized. However, the tractor was taken by the driver and owner, but at that time, 51 persons named in the F.I.R., including the petitioner, created hindrance in checking of the vehicle.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that name of 51 persons has been disclosed interfering in the discharge of duty of the informant and other Police personnel, but it is not detailed in the F.I.R. that informant and other Police officials how to know about the names of 51 persons indulged in carrying of illegal extracted stones and sand. Further submission is that while petitioner is accused in two cases, as detailed in para-03 of the petition, but in both cases he is on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case No. 184 of 2019, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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