

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74105 of 2019**

Arising Out of PS. Case No.-92 Year-2019 Thana- RAJAOLI District- Nawada

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Ramesh Yadav , aged about 25 years, (Male), S/o Late Baleshwar Yadav, R/o
village- Sapahi, P.S.- Domchanch, District- Kodarma (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
 2. The Director, Bihar Minor Mineral Concession, Patna Bihar
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 09-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, apprehends his arrest registered for the
offences punishable under Section 379 of the Indian Penal Code
and 4/40 of Bihar Minor Mineral Concession Rules, 1972 and
33, 41, 42 of Indian Forest Act.

Informant is a police officer, who in his self-
statement has alleged that on 11.03.2019 he received secret
information that petitioner used to extract mica illegally from
Lalhi Mines situated in Sabaya Tar Forest thereafter informant
along with police personnel and armed forces proceeded to the
place of occurrence where on seeing the police the persons who



were working in the mines fled away out of them two persons were caught by the police who disclosed their names as Degan Ram and Santosh Singh and the arrested persons disclosed that Ramesh Yadav (petitioner) along with labourers fled away toward forest.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case at the instance of his enemies. No incriminating articles has been recovered from the possession of the petitioner. Petitioner was not apprehended on the spot. Petitioner has got no criminal antecedent.

Counsel for the Mines Department has vehemently opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Rajauli P.S. Case No. 92 of 2019, subject to the condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

(S. Kumar, J)

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