

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71005 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- KADIRGANJ District- Patna

Awadh Yadav @ Avdhesh Yadav Resident of Village-Daulatpur, P.S. and P.O.
Kadirganj, Distict-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Prasad

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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

ORAL ORDER

3 05-02-2019 Heard the parties.

The petitioner seeks pre-arrest bail in Kadirganj P.S.Case No.77 of 2018 registered under Sections 379, 441/34 of the Indian Penal Code, Sections 4/40 of Bihar Minor Mineral Concession Rules, Rules 3 and 6 of Bihar Mineral Prevention of Illegal Mining Transportation and Storage Rule.

Accusation is that the informant being Mines Inspector along with the police party in course of checking illegal excavation of sand he reached near Dardha river where he found 1000 CFT red sand stored at one place and 1520 CFT stored at another place and on query it was disclosed that Raju Yadav, Awadh Yadav and Amrika excavated the said sand from Dardha river and illegally stored.



Learned counsel appearing on behalf of the petitioner submits that the neither the seized sand belongs to the petitioner nor the land on which the sand was stored belongs to the petitioner. He has been falsely implicated in this case due to dirty village politics.

Having considered the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of J.M., 1st Class, Masaurhi, in Kadirganj P.S.Case No.77/18 Subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

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