

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15664 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- KASIMBAZAR District- Munger

SHANKAR YADAV Son of Late Bhikho Yadav Resident of Village-
Herudiyara, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deep Nishi

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 379, 411, 413, 34 of the Indian Penal
Code, 56 of Bihar Minerals (Confession, Prevention of illegal
Mining, Transportation & Storage) Rule, 2019 and 21 of
MMDR Act 1957.

Prosecution allegation, in short, is that at the place of
occurrence, illegal sale of sand of going on and the police seized
truck and boat involved in the same.



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. From perusal of the content of the F.I.R. itself, it would appear that no allegation has been made in respect to the petitioner. The petitioner had no knowledge regarding the alleged incident nor he has got concern with the alleged occurrence. Though the petitioner has been named in the accused column but there is no allegation in the content of the F.I.R regarding the implication of the petitioner.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 28 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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