

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26753 of 2020**

Arising Out of PS. Case No.-11 Year-2020 Thana- KATORIYA District- Banka

DINESH YADAV, Son of Bishu Yadav, Resident of Village - Surangi, P.S.-
Katoria, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Bihar Mineral Mining Corruption Department, Bihar, Patna
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

2 06-11-2020 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Katoriya P.S. Case No. 11 of 2020 for the offence under Sections 379, 411 of the Indian Penal Code and Section 4/40 of Bihar Miner Mineral Concession Rules, 1972, Sections 4/21 of the MMDR Act, 1957 and Section 15 of the Environmental Protection Act.

Allegation against the petitioner is that he was involved in illegal lifting of sand.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that the petitioner is the owner of the Tractor and simply on the basis that the petitioner is the owner of the Tractor he has been made accused in the instant case.



Considering the fact that the petitioner has got no criminal antecedent and he has been made accused on the ground that he is the owner of the tractor, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of communication of the order, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Katoriya P.S. Case No. 11 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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