

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28747 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- RAJAON District- Banka

MANORANJAN MISHRA S/o Yaduvir Mishra Resident of Village-Budiya
Dhangatta, P.S-Banmankhi and District-Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP appearing for the State.

This is an application for grant of anticipatory bail in connection with Rajoun Banka P.S. Case No. 59 of 2020 registered for the offence punishable under Sections 379, 411, 420, 467, 468, 471 of the Indian Penal Code, Section 56 of the BMPTs Act,



2003, Section 56 of the BMMC Rule, Section 21 of the MMDR Act, 1957 and Section 15 of the FE Act, 1986.

The Mining Officer is said to have conducted a raid on 23.02.2020 at the alleged place of occurrence and several trucks and tractors were nabbed, loaded with illegal sand including the truck of the petitioner herein.

The learned counsel for petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner, by referring to Annexure-2 to the present petition, has submitted that the petitioner had already deposited the amount of loss caused to the State Government, hence, he is liable to be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking



into account the fact that the petitioner is stated to have already deposited the loss amount and moreover, he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun Banka P.S. Case No. 15 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

