

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74774 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- LAXMIPUR District- Jamui

Sanjay Yadav S/o Sufal Yadav R/o village- Maghi, P.S.- Laxmipur, District-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Laxmipur P.S. Case No. 81 of 2019 G.R. 663/2019**, registered for the offence punishable under Section 379 and 411 of the Indian Penal Code, section 8 of Bihar Mines Minerals Prevention of Illegal Mining Transportation Storage Rule, section 40 of Bihar Concession Rule, Section 15 of Forest Environment Act, section 30(a) of the Bihar Prohibition and Excise Act, 2016 and sections 25(1-B)a, 26 and 35 of the Arms Act and 3/4 of the Explosive Substance Act.

The prosecution case in short is that 02 tractors of illegal sand, 02 litres of country made liquor, double bore gun, country made pistol and 43 cartridges etc. were recovered from the campus of the petitioner.

It is submitted by learned counsel appearing on behalf



of petitioner that petitioner is Mukhiya and has falsely been implicated due to political rivalry. Petitioner has got no concern with the recovered article. Recovery is made from open place which is accessible to general public. Charge sheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner. Co-accused Goutam Kumar and Keshar Kumar have been granted bail by this court vide order dated 18.06.2029 passed in Cr. Misc. No. 22821 of 2019. Petitioner is in custody since 10.09.2019 having clean antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Additional District & Sessions Judge II, Jamui** in connection with **Laxmipur P.S. Case No. 81 of 2019 GR No. 663/2019**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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