

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28447 of 2020

Arising Out of PS. Case No.-639 Year-2019 Thana- AMARPUR District- Banka

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Prem Chand Yadav Son of Tetar Yadav Resident of Village- Bela, P.S.-
Amarpur, District- Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-01-2021 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with
Amarpur P.S. Case No. 639 of 2019 for the offence under
section 379/411 of the Indian Penal Code and Section 56 of
Bihar Minerals (Concession Prevention of Illegal Mining
Transportation and Storage) Rules, 2019 and Section 21 of
MM(D&R) Act, 1957 and Section 15 of Environmental
Protection Act.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

Allegation against this petitioner is that he was
involved in illegal mining and uploading of sand.

Learned counsel for the petitioner submits that due to
dirty village politics the petitioner has been made accused in the
instant case. Learned counsel further submits that the petitioner



is driver of the vehicle and as such he has been made accused in the instant case although he was not plying the tractor or carrying the illegal sand.

Considering the fact that the petitioner has no criminal antecedent, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of 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, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 639 of 2019 subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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