

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2024 of 2022

Arising Out of PS. Case No.-133 Year-2021 Thana- RAJPUR District- Buxar

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AJEET YADAV SON OF RAM DULAR YADAV OWNER OF THE TRUCK
NO. UP-61-AT-4014, R/O VILLAGE- MOHABBAT PUR MANIHARI, P.S.-
SADIYABAD, DISTRICT- GHAZIPUR U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Rajpur Police Station Case No. 133 of 2021, registered for the
offences punishable under Sections 379/411 of the Indian Penal
Code, Section 56 of the Bihar Minor Minerals and Concession
Rules, 2019 and Section 21 of the Mines and Minerals
(Development and Regulation) Act, 1957.

The prosecution case, as per the First Information
Report, is that the informant, who is the Mines Inspector, posted
at Buxar, intercepted three trucks and on seeing the informant
with the police party, the drivers of the said trucks fled away
leaving behind the trucks. On search of the trucks, the informant



recovered illegally mined sand in the trucks.

Learned Counsel for the petitioner submits that the petitioner is the owner -cum- driver of one of the trucks. He further submits that the petitioner has deposited a sum of Rs. 53,000/-, as compounding fee, in the Mining Office, at Buxar. He further submits that the petitioner is in custody since 26.10.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the petitioner has already deposited the compounding fee of Rs. 53,000/-, charge sheet has already been submitted and the petitioner is in custody since 26.10.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with



Rajpur Police Station Case No. 133 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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