

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3065 of 2022**

Arising Out of PS. Case No.-74 Year-2021 Thana- ALIPUR District- Gaya

Shivdayal Baidh Son Of Suresh Baidh Resident Of Village - Hasanpur, P.S.-  
Alipur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravindra Kumar Sinha  
For the Opposite Party/s : Mr. Dilip Kr. No. 1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      12-07-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to  
remove the defects within three weeks. In the eventuality of  
non-removal of defects within undertaken period, the office will  
place the matter before the Bench.

The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Sections 379 of the  
Indian Penal Code and Rule 11, 39 Bihar Mineral (Concession,  
Prevention of Illegal Mining, Transportation and Storage) Rules  
and MM (DR) Act 1957 and Rule 56(1) and 52(2) B.M.  
(CPIMTS) Rule 2019 and Section 15 of Environment Protection  
Act, 1986.

Prosecution case is that on 21.07.2021 at about 3PM  
during the course of raiding about 90,000 cubic feet of sand was



found to be illegally stored near village Turi on the land of accused Shivdayal Vaid.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is the victim of this case and sand was illegally stored on his land for which he had informed SHO of P.S. Alipur regarding the said storage. He submits that the petitioner was not present at the time of occurrence. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the conduct of the petitioner and the huge quantity of illegally stored sand, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Alipur P.S. Case No. 74 of 2021.

**(Anjani Kumar Sharan, J)**

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