

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5097 of 2022

Arising Out of PS. Case No.-206 Year-2021 Thana- BRAHMPUR District- Buxar

1. MUNNA KUMAR YADAV @ MUNNA YADAV S/O CHHOTAN YADAV
Resident of Dayanand Nagar, P.S.- Jhartarang, District- Sundargarh, Odisha,
at present R/o village- Devaich Kundi, P.S.- Shahpur, District- Bhojpur
2. Jay Prakash Yadav S/o Krishna Yadav R/o village- Devaich Kundi, P.S.-
Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Brahmpur P.S. Case no. 206 of 2021 instituted for the
offence punishable under Sections 420, 467, 468, 379, 441, and
120(B) of the Indian Penal Code.

Prosecution case relates to illegal mining and
transportation of sand and two illegal red sand loaded Highwa
Truck bearing registration No. BR-02GA-7207 and OD-14H-
2560 were recovered, which caused a huge loss of revenue each
amounting to Rs. 82,500/-.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioner no. 1 is owner of truck bearing registration no. OD-14H-2560 and petitioner no. 2 is driver of the said truck. It is further submitted by learned counsel for the petitioners that petitioners are ready to deposit the amount of loss caused by them.

The petitioners undertake to deposit Rs. 82,500/- in the account of the concerned department.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Brahmpur P.S. Case no. 206 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar subject to the conditions as laid down under section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 82,500/- by the petitioner in the account of the concerned department.

(Sunil Kumar Panwar, J)

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