

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5473 of 2022

Arising Out of PS. Case No.-78 Year-2021 Thana- SUIYA District- Banka

DILIP YADAV @ DILIP KUMAR SON OF JANAK YADAV R/O
VILLAGE- TARAKURA, PHULHARA, P.S.- BELHAR, DIST.- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and the
State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 379, 353, 34 of the Indian Penal Code, Section 4(1) of MMDR Act, Section 56(2) of Bihar Mineral Rules, 2019 and Section 11, 41 of NGT Act, 2010.

As per the prosecution case, this petitioner along with co-accused, Ajay Kumar and 10-12 unknown persons came and forcibly took away the seized tractor.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case only on suspicion. Petitioner is neither driver nor owner of the vehicle in question and he has got no concern with the



tractor loaded with sand. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Suiya PS case No. 78/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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