

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12323 of 2021

Arising Out of PS. Case No.-9 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

RAJIV KUMAR YADAV S/o Narayan Yadav @ Shrinarayan Yadav R/o
village- Ajampur, Kaneri, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sweety Sinha
For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-01-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard the learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner apprehends his arrest for the offences
alleged under Sections 273, 427, 379 and 411 of the Indian
Penal Code and Section 40 of the B.M.M.C. Rule, 1972 and
Section 6/8 of Bihar Illegal Mining Transportation Act, 2003,
registered in connection with Jagdishpur P.S.Case No.09 of
2020.

As per the allegation, the present petitioner, along
with co-accused Swami Sharan Das, after illegal excavation of
sand, were fleeing way on the tractor which collided with an
electric pole. The petitioner and co-accused Swami Sharan Das
fled away from the place of occurrence. The illegal sand was
recovered from that tractor.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and paragraph no.3 of the bail
petition shows that he is a person of clean antecedents. It is
further submitted that the said co-accused Swami Sharan Das
has been granted anticipatory bail by a coordinate Bench of this



Court under order dated 07.03.2020 in Cr. Misc. No. 17831 of 2020.

Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on 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, Bhagalpur in connection with Jagdishpur P.S.Case No. 09 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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