

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24120 of 2021

Arising Out of PS. Case No.-617 Year-2020 Thana- BANKA District- Banka

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MRITUNJAY YADAV @ MRITYUNJAY YADAV S/O BINDESHWARI
YADAV @ SHIKARI YADAV R/o village- Laskari, P.S. and District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.A.PP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Banka P.S. Case no. 617 of 2020 instituted for the offence
under Section 21 of MMDR Act, Section 56 of Concession &
Prevention of illegal Mining Transportation and Storage and
Section 15 of Environment Protection Act.

As per allegation in the FIR, petitioner is involved in
illegal lifting and storage of sand and recovery of 7000 CFT



sand has been made without any supportive document.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has falsely been implicated in this case. He is simply a labour and his work is only to load and unload the sand. Petitioner has no coneren with the alleged tractor or transportation of sand.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner is a habitual offender.

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 petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Banka P.S. Case no. 617 of 2020, he 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, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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