

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28093 of 2021**

Arising Out of PS. Case No.-27 Year-2021 Thana- BANKA District- Banka

RAJ KUMAR YADAV Son of Balmiki Yadav Resident of Village -  
Mahenderpur, P.S.- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Surendra Prasad Singh

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

2      04-01-2022                      In spite of repeated calls none appeared on behalf of  
the petitioner to press this application.

Heard learned A.P.P. for the State through virtual  
Court proceedings.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the office, within a period  
of four weeks.

The petitioner apprehends his arrest in a case  
registered for the offences punishable under Section 378 & 379  
of the Indian Penal Code and MMDRD Act, 1957, Rule 4 (1)  
and BMCPIMTS Rules, 2019, Section 11/41 Rules 2019,  
Section 56 (2) and Section 15 of the NGT Act, 2010.

The allegation against the petitioner is that he is the  
owner of the seized tractor on which illegal sand were ladden.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has already deposited the loss amount in the Mining Department on 30.01.2021 and a copy of the receipt has been enclosed as Annexure-3 series to this application. He has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Banka (Barahat) P.S. Case No. 27 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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