

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29547 of 2021

Arising Out of PS. Case No.-760 Year-2020 Thana- BANKA District- Banka

RAM PRASAD YADAV Son of Sri. Bhagirath Yadav Resident of Village-
Lashkari, Police Station- Banka, District- Banka.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
 2. The Assistant Director, Mines and Geology Department Banka. Bihar
- Opposite Party

with

CRIMINAL MISCELLANEOUS No. 29986 of 2021

Arising Out of PS. Case No.-760 Year-2020 Thana- BANKA District- Banka

PRADEEP YADAV Son of Late Upendra Yadav Resident of Village -
Beluticar, P.S. and District - Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 29547 of 2021)

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr. Shailendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 29986 of 2021)

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

5 18-05-2022 Learned counsel for the petitioners is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the
learned APP for the State.

The petitioners apprehend their arrest in connection with
Banka P.S. Case No. 760 of 2020, registered for the offences
punishable under Sections 379, 411 of the Indian Penal Code and



Section 56 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rule 2019 and Section 21 MMDR, Act, 1957 and Section 15 of Environmental Protection Act.

The police party along with administration conducted a raid in the Village Laskai. As per allegation, the petitioners including 14 other co-accused persons were indulged in illegal storage and business of sand after illegally mining it from Chandan river.

Learned counsels for the petitioners have submitted that the seized sand was not belonging to them and they have been made accused only on the basis of their criminal antecedents.

On the other hand, learned Addl.P.P, Mr. Shailendra Kumar, has submitted that the petitioners are named in the FIR. They are habitual offender and as per paragraph No. 3, a number of cases are pending against the petitioners.

Considering the above-mentioned facts and circumstances, especially, the criminal antecedents of the petitioners, I am not inclined to grant anticipatory bail to them. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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