

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29093 of 2021

Arising Out of PS. Case No.-842 Year-2020 Thana- BANKA District- Banka

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RAM PRASAD YADAV SON OF SRI BHAGIRATH YADAV Resident of
Village - Lashkari, P.S.- Banka, Dist.- Banka.

... .. Petitioner

Versus

1. The State of Bihar
2. The Assistant Director, Mines and Geology Department, Banka. Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.A.G.

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

ORAL ORDER

2 29-01-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner as well as

learned APP for the State through video conferencing.

The petitioner apprehends his arrest in connection

with Banka P.S. Case No. 842 of 2020, registered for the

offences punishable under Sections 379, 411 of the Indian Penal

Code and Section 11, 41 & 56 of Bihar Minerals (Concession,

Prevention of Illegal Mining, Transportation & Storage) Rule

2019, Section 4(1) MMDR, Act 1957 and Section 15

Environmental Protection Act.



As per FIR, a raid was conducted to check illegal mining of the sand and it was found that the mining of the sand was done and sand was stocked on large scale. One sand loader was also recovered from Chhoti Dhaka area. Altogether 20 accused persons have been named in the FIR including the present petitioner.

Paragraph No-3 of the bail petition shows that a number of cases are also lodged against the present petitioner and considering this fact the coordinate Bench has rejected the anticipatory bail petition of co-accused Mrityunjay Yadav in Cr. Misc. No. 22759 of 2021.

Considering the above-mentioned facts and circumstances, it is not a fit case for grant of anticipatory bail.

Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner 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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