

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21818 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- SONO District- Jamui

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AJAY YADAV @ AJAY KUMAR YADAV Son of Bodhan Yadav Resident of
Village - Nimadih, P.S. - Sono, District - Jamui, at present residing at 21/42
BT Road, Kolkata (WB).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 411, 332, 333, 353, 307, 337, 338 and 34 of the Indian Penal Code read with Sections 4 and 12 of the MMDR Act, Sections 43, 11, 29 and 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and Section 15 of the Forest and Environmental Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that a tractor was intercepted which was loaded with illegal sand, accordingly two persons were caught who



disclosed their name as Mantu and Kamlesh and they further disclosed name of Bodhan Yadav as owner of the tractor and described themselves as laborers, further when the tractor was being taken to the place of safety, 40 accused persons came and tried to free it and started throwing stones on the raiding team injuring them.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner is not named in the FIR, even the persons who were apprehended did not disclose petitioner's name rather they disclosed the name of one Bodhan Yadav in whose name the tractor was registered. It is further submitted that police mechanically implicated the petitioner as he is son of Bodhan Yadav when admittedly he is a person with clean antecedent, it is also submitted that there is no injury report on record.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten 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 Sono P.S.
Case No. 177 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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