

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23614 of 2022

Arising Out of PS. Case No.-932 Year-2021 Thana- BIHTA District- Patna

1. Shiv Narayan Kumar @ Narayan Yadav Son of Bhagwan Yadav Resident of Village- Kelhanpur, P.S.- Bihta, District- Patna.
2. Upendra Yadav S/o Sudarshan Yadav Resident of Village- Kelhanpur, P.S.- Bihta, District- Patna.
3. Shambhu Yadav S/o Lalmohan Yadav Resident of Village- Kelhanpur, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Dilip Kumar No.1, APP
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Bihta P.S. Case No.932 of 2021, registered for the offences punishable under Section 379 read with 411 of the Indian Penal Code and Rule 56 of BMMC PIMT and Storage Rules, 2019.

The allegation against the petitioners is that the petitioners are involved in illegal excavation of sand at Kelhanpur village on the bank of river Sone due to which the State Government suffered huge revenue loss.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioners have got no manner of concern with the tractor or articles seized by the police.

Learned APP for the State as well as learned counsel for the Mines Department opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners are also involved in the alleged offence.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Anjani Kumar Sharan, J)

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