

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24578 of 2022

Arising Out of PS. Case No.-170 Year-2021 Thana- MANIHARI District- Katihar

1. JANARDAN YADAV @ JANARDAN KUMAR YADAV Son of Batali Yadav Resident of village - Chowkchama, P.S.- Amdabad, District - Katihar.
2. Binod Yadav Son of Jotali Yadav Resident of village - Chowkchama, P.S.- Amdabad, District - Katihar.
3. Mohan Yadav @ Manmohan Yadav Son of Andho Yadav Resident of village - Chowkchama, P.S.- Amdabad, District - Katihar.
4. Pankaj Bhagat @ Pankaj Kumar Bhagat Son of Sri Krishna Bhagat Resident of village - Chowkchama, P.S.- Amdabad, District - Katihar.
5. Raju Sharma Son of Harendra Sharma Resident of village - Gheragaon, P.S.- Amdabad, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rajendra Prasad Sah, Advocate
For the State	:	Md. Ataur Rahman, APP
For the Mines Deptt.	:	Mr. Naresh Dikshit, Spl. P.P., Mines Mr. U. Anand, AC to Spl. P.P., Mines

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Manihari P.S. Case No.170 of 2021, registered for the offences punishable under Sections 414 of the Indian Penal Code and Bihar (Concession Bevention of Illegal Mining Transportation Storage) Rule, 2019. Rule 56 & 39(3) as amended, 2021.

The petitioners are said to have stored the stone chips for transportation illegally due to which the government sustained loss of Rs.8,61,000/-.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioners are not named in the FIR. During investigation, nearby people disclosed that the said stone chips belongs to the petitioners and on that basis the petitioners are made accused in the present case.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Considering the fact that there is no specific allegation against the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No.170 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

Sanjay/-

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