

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25266 of 2022

Arising Out of PS. Case No.-384 Year-2020 Thana- BELAGANJ District- Gaya

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1. MD. JAKIR MIAN @ MD. JAKIR SON OF MD. ASHIK R/O VILLAGE-BHALUA-1, BHALUA, P.S.- BELGANJ, DISTRICT- GAYA
 2. NITISH KUMAR SON OF SRI SALIGRAM SINGH R/O VILLAGE-CHHITIPHA, P.S.- BELAGANJ, DISTRICT- GAYA
 3. RAKESH KUMAR @ BUDHAN SINGH SON OF BASUDEO SINGH R/O VILLAGE- CHHITIPHA, P.S.- BELAGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Learned counsel for the petitioners seeks permission
to withdraw this application against petitioner no. 1 and 3.

Permission is accorded.

This application is dismissed as withdrawn against
petitioner no. 1 and 3.

So far as petitioner no. 2 is concerned, the instant
application for anticipatory bail has been filed by the petitioner
apprehending his arrest in connection with Belaganj P.S. Case
no. 384 of 2020 instituted for the offence under Sections 379,
411/34 of the Indian Penal Code.

Prosecution case relates to illegal excavation and



storage of sand.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the business of sand. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Belaganj P.S. Case no. 384 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM II, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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