

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25303 of 2022

Arising Out of PS. Case No.-85 Year-2021 Thana- RAJAON District- Banka

KAILASH MANDAL @ SIKDAR Son of Sri Bhagwat Sikdar Resident of
Village - Tahsur, P.S.- Jagdishpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rajoun P.S. Case no. 85 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 342, 323, 332, 353, 186, 337, 338, 307, 427, 379, 411, 504, 506 of the Indian Penal Code and Section 11, 41, 56(2) of Bihar Minerals (Concession Prevention of illegal Mining, Transportation & Storage) Rule, Section 4(2) of MMDR Act and Section 15 of NGT Act.

It is a case of creating hindrance in discharging the official duty of the informant when the police officials attempted to stop the illegal mining of the sand.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. It is further submitted that the FIR has been lodged delay and there is general and omnibus allegation against the petitioner. No any independent witnesses have supported the prosecution story during the course of investigation. He has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory 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 Rajoun P.S. Case no. 85 of 2021, 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 Chief Judicial Magistrate, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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