

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31514 of 2022

Arising Out of PS. Case No.-186 Year-2020 Thana- SHAHKUND District- Bhagalpur

1. PUNIT KUMAR AGARWAL SON OF BIR KUMAR AGARWAL PROPRIETOR OF RAJBIR CONSTRUCTION PVT. LTD. RESIDENT OF 6TH FLOOR, 614 HARI OM TOWER, FLAT NO.B -701 CIRCULAR ROAD, P.S.- LALPUR, DISTRICT- RANCHI (JHARKHAND)
2. MAHANAND YADAV SON OF ASESAR YADAV R/O VILLAGE-KALA, LAXMIPUR, P.S.- LAXMIPUR, DISTRICT- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. advocate

Mr. Vijay Anand

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 379/ 411 of the Indian Penal Code. U/s 4/40 of Bihar Mines Mineral Concession Act and section 6/8 of illegal Mining Transportation & Storage Rules, 2003.

As per the prosecution case, the informant and other police officials raided the premises near Jagariya mountain where sand and Moram mixed Tila along with different tools meant for illegal loading/ mining were found leading to registration of present FIR against known.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that Petitioner No.1 is Proprietor & Director of Rajveer Construction Pvt. Ltd. and is doing



business at Bihar, Jharkhand and West Bengal and petitioner No.2 is driver of Haiwa vehicle No. JH01BW-3241. It is next submitted that since the company of petitioner No.1 has installed hot mix plant for the road construction activities near the place of occurrence petitioners have been implicated in this case only on suspicion in order to humiliate and harass them.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Bhagalpur in connection with Shahkund PS case No. 186/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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