

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34685 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- MATIYARIA District- West Champaran

1. INARJEET SHAH Son of Satynarayan Shah Resident of Village - Meghwal Mathia, P.S.- Ramnagar, Distt.- West Champaran.
2. ARMAN ANSARI Son of Yasir Ansari Resident of Village - Dumariya, P.s.- Sikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 379 of IPC and 56, 11, 41(4), 21 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019.

Allegedly, the police party seized three tractor loaded with sand. It has been further alleged that when the informant demanded challan of the sand then the same has not been produced and on query no satisfactory answer was given. Thereafter, all the tractors with their drivers were seized.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that in para-2 of the supplementary affidavit filed by the learned counsel for the petitioner it is stated that petitioner no.1 has deposited the amount of Rs.30375/- for which he has also enclosed the e-challan which is evident from annexure-2 of the supplementary affidavit. Petitioners have no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Matiyariya P.S. Case No.114 of 2021, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

However, the bail bonds of petitioner no.2 shall be accepted by the learned court below only after showing the receipt of deposit of loss amount as calculated by the concerned department within a period of four weeks.

(Anjani Kumar Sharan, J)

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