

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47530 of 2021

Arising Out of PS. Case No.-88 Year-2021 Thana- SABAUR District- Bhagalpur

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DIVAKAR YADAV Son of Prahlad Yadav Resident of Village - Dostaini,
P.S.- Goradiah, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2022 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 Sabour P.S. Case no. 88 of 2021 instituted for the offence under Sections 11, 41 and 50 of the Bihar Mines and Minerals Act.

Prosecution case relates to seizure of a tractor bearing registration no. BR10GA-1465 loaded with 50 square feet illegally excavated sand.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Annexure-2 is valid computerized challan for carrying sand, which shows that the alleged sand was not illegally



excavated. Petitioner is registered owner of the alleged vehicle.

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 Sabour P.S. Case no. 88 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, Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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