

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45010 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- SABAUR District- Bhagalpur

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1. Sittu Yadav @ Rohit Kumar Yadav Son Of Sitaram Yadav R/O Gram - English, Post- Farka Panchayat, P.S.- Sabour, District- Bhagalpur
 2. Gopal Yadav Son Of Late Bhola Yadav R/O Gram - English, Post- Farka Panchayat, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Pandey

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sabour P.S. Case no. 65 of 2022 instituted for the offence under Section 379 of IPC and Sec. 56 of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019 and Section 15 of the Environmental Prevention Act, 1986.

As per allegation in the FIR, it is a case of illegal mining of soil by the petitioners as a result of which, Rs. 16,06,822/- revenue loss occurred.

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. There is no legal evidence against the petitioners to connect them with the alleged crime in question. 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 petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sabour P.S. Case no. 65 of 2022, they 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 C.J.M., 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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