

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63450 of 2021**

Arising Out of PS. Case No.-387 Year-2019 Thana- RAJAON District- Banka

BIKASH YADAV @ BIBHASH YADAV Son of Vijay Yadav @ Vijo Yadav
Resident of village - Sikanpur, P.S.- Rajaun, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha
For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 379/411 of the Indian Penal Code, u/s 8 of Bihar Minerals (Prevention of Illegal Mining) Transportation and Storage Rules, 1972, Section 21 of the Mines and Minerals (Development & Regulation) Act, 1957 and Section 15 of Forest & Environment Act, 1986.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has transpired in this case during the course of investigation in the confessional statement of co-accused. Petitioner is neither driver nor owner of the vehicle in question. Petitioner is not the owner of the materials seized.

Learned counsel appearing for the State opposes the



prayer for anticipatory bail. He submits that the petitioner has got criminal antecedent of similar nature.

Considering the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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