

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53327 of 2022

Arising Out of PS. Case No.-184 Year-2019 Thana- SURYAGARHA District- Lakhisarai

Jehal Yadav @ Jatashankar Yadav Son of Banarshi Yadav Resident of Village
- Chananiya, P.s.- Surajgaraha, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 379, 411 and other allied sections of Indian Penal Code, Sections 4/40 of Bihar Minor Mineral Concession Rules, Sections 4, 6, 8 of Bihar Control of Prevention of Illegal Mining, Transportation and Storage Act, 2003 and Section 15 of the Environment (Protection) Act, 1986.

As per prosecution case, while the informant was on patrolling duty, he got an information that illegally extracted stones/sand were being loaded, he along with other police party proceeded towards the place of occurrence and found that 15-16 tractors and its trailers were coming towards NH-80 after loading sand illegally extracted from Kiul river. It is further



alleged that all the F.I.R. named accused persons including this petitioner created hindrance in checking the vehicles.

Learned counsel for the petitioner submits that the petitioner is innocent and has been made accused in this case only on suspicion because petitioner is owner of one of the tractor, which was standing on the spot. It is further submitted that tractor of the petitioner is not involved in the illegal mining of the sand.

Learned counsel for the State opposes the prayer for bail application submitting that petitioner has got 2 criminal antecedents of similar nature.

Considering the 2 criminal antecedents of similar nature, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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