

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67968 of 2021**

Arising Out of PS. Case No.-259 Year-2021 Thana- PALIGANJ District- Patna

NAVNEET KUMAR Son of Late Kamlesh Singh @ Maltu Singh R/o Village
- Jalpura, P.S.- Paliganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand
For the Opposite Party/s : Mr.Shyameshwar Dayal

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

3 26-07-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 379 & 411 of the Indian Penal Code and under Rules 11 & 56 of Bihar Mineral (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2019.

As per F.I.R., a raid was conducted and illegal sand was recovered near the land of this petitioner and it is alleged that this petitioner and other co-accused are involved in illegal mining of sand.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. No sand has been recovered from the land of the petitioner and he has been made accused only on suspicion.



However, learned A.P.P. for the State opposed the prayer for anticipatory bail and submitted that there is specific and direct allegation against this petitioner. Petitioner is owner of the Bolero pick-up van and from the record, it is apparent that he is using the vehicle for transportation of sand without having valid *challan*. Petitioner has got one criminal antecedent of Excise Act.

Considering the nature of accusation and criminal antecedent of petitioner, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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