

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68555 of 2021**

Arising Out of PS. Case No.-25 Year-2021 Thana- TETERHAT District- Lakhisarai

PINTU YADAV Son of Banaras Yadav Resident of Village - Mahisona, P.S.-
Tetarhat, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Bilochan

For the Opposite Party/s : Mrs. Sharda Kumari

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

2 26-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 379, 411/34 of the Indian Penal Code, u/s 56(1) 56(3) of Bihar Mineral Rules, 2019, & 4,21 of MM (DR) Act, 1957 and u/s 15 of Environment Protection Act, 1986..

As per the prosecution case, on secret information raid was conducted and it was found that one JCB machine is doing illegal excavation of soil at Kiul river and 66,000/- sq. ft. of soil mineral has been transported which caused loss of Rs. 4,67, 380/- to the Government. During enquiry the informant came to know that this petitioner was doing the illegal excavation through JCB machine.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case. The informant has not disclosed the source of informant as to how he came to know that petitioner was doing illegal excavation work. Petitioner is neither driver nor owner of the JCB in question. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in connection with Tetarha PS case No.25/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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