

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4561 of 2023**

Arising Out of PS. Case No.-655 Year-2022 Thana- BIHTA District- Patna

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1. ANIL KUMAR @ DEEPAK YADAV S/o Rajendra Yadav R/o Village- Ekbalganj Nisharpura, P.S.- Bihta, Distt- Patna.
  2. Aditya Kumar @ Guddu Yadav S/o Bhagelu Yadav R/o Village- Ekbalganj Nisharpura, P.S.- Bihta, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rana Baljit Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      05-05-2023      Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379, 411 of the Indian Penal Code.

The allegation against the petitioners is that they are involved in illegal extraction of sand.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners are neither the owners nor the drivers of any of the seized vehicles. Petitioners



were made accused in the present case merely on the basis of suspicion. He further submits that the as per the FIR, the occurrence is of 08.03.2022 but the report is sent to the police station on 08.07.2022 i.e. after a delay of more than four months, there is no explanation given by the Department regarding the said delay. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bihta P.S. Case No.655 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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