

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14284 of 2023

Arising Out of PS. Case No.-366 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Rajesh Yadav @ Rajesh Kumar Son Of Ravindra Yadav Resident Of Village-
Dayalpur, P.S.- Rajoun, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Department of Mines and Geology, Govt. of Bihar, Patna, Through its Secretary Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Learned counsel for the petitioner seeks

permission to make necessary changes in the petition.

Permission is accorded.

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 353, 379,

471/34 of the Indian Penal Code and Section 56(i),

56(ii) of B.M.M.C. Rule 2019.

Allegation against the petitioner and others is



that they are indulged in illiegal mining of sand. It is further alleged that when informant, being a police official, along with other police official raided the place of occurrence, one tractor loaded with Sand was seized. In the meantime, some anti-social elements started assaulting the raiding party by means of lathi & danda.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. He has no concern with the seized Tractor. Moreover, the petitioner suo-motto surrendered on 21.10.2022 and since then he is languishing in judicial custody.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case as well as period of custody,
this Court is inclined to enlarge the petitioner on bail.
The above named petitioner is directed to be enlarged on
bail in connection with Jagdishpur P.S. Case No. 366 of
2022 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) with two sureties of the like amount each
to the satisfaction of the learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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