

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16910 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- AMARPUR District- Banka

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MADAN YADAV Son of Goverdhan Yadav R/v- Digghi Paschim Tola, P.O.-
Sahjadpur, P.S.- Nathnagar, 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

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Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-05-2023 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420, 467, 468, 471 and
34 of the Indian Penal Code.

The allegation against the petitioner along with others
is of illegal mining of sand. It is further submitted that the
owner of the tractor (petitioner) prepared forged report of Mines
Department, Banka without depositing loss/fine amount in
regard to the minerals carried by tractor and produced the same
before the Court concerned.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. A supplementary affidavit has been filed on behalf of the petitioner by referring to the statement made in paragraphs no. 7 submits that the petitioner is ready to deposit chalan amount of Rs. 45,213/- to concerned Mines and Geology Department. He is languishing in judicial custody since 02.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 342 of 2022.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 45,213/- (Forty five thousand two hundred thirteen) by the petitioner in the account of concerned Mines and Geology



Department.

The appearance of the I.O. is hereby dispensed with.

(Sunil Kumar Panwar, J)

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