

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16802 of 2023

Arising Out of PS. Case No.-233 Year-2022 Thana- GRIYAK District- Nalanda

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DHARMENDRA YADAV @ DHARMENDRA KUMAR S/O MAHENDRA
YADAV Resident of Village- Shobhanagar, P.S.- Griyak, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar , Advocate

For the State : Mr. Umeshanand Pandit, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 379, 420, 120 (B), 427/34
of the Indian Penal Code.

It is alleged that all the FIR named accused persons
including this petitioner were involved in illegal excavation,
stocking and transportation of the sand.

It is submitted that petitioner has falsely been
implicated in this case only on the basis of suspicion and no
incriminating material has been recovered from the conscious
possession of the petitioner. It is further submitted that petitioner
is farmer and he has no concern with the alleged stock of sand.
The alleged sand in question was already seized so no loss at all



has been caused to the government. Hence, no case is made out against the petitioner in the alleged section of the IPC. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned A.C.J.M Nalanda at Bihar Sharif in connection with Giriyak (Pawapuri) P.S. case no 233 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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