

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27253 of 2023

Arising Out of PS. Case No.-161 Year-2020 Thana- NASRIGANJ District- Rohtas

Rajeev Kumar S/O Late Ramadhir Singh R/O Gate Nagaland Kohima, At
Present - New Area Jodha Mandir, Dehari, P.S- Dehari, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411, 420 and 34 of the Indian Penal Code and Section 56(1), 56(2) of Bihar illegal Mining Act and 15 Environment Protection Act, 1986.

3. As per the prosecution case, the petitioners are said to have fraudulently carrying business in illegal transportation of over loaded sand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no



specific overt act against the petitioner. He submits that the petitioner is owner of the seized truck. He further submits that the said truck is commercial vehicle which is operated by the Driver not by the owner of the said vehicle. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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) 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 Nasariganj P.S. Case No. 161 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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