

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20516 of 2023

Arising Out of PS. Case No.-261 Year-2014 Thana- AMARPUR District- Banka

SHIV KUMAR BHAGAT @ MUNNA BHAGAT SON OF LATE
MADHUSUDAN BHAGAT RESIDENT OF 23-A, JANKI VILLA,
BASANT VIHAR COLONY, BORING ROAD, P.S. - SRI KRISHNAPURI,
DISTT. - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand , Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-07-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered
for the offence punishable under sections 429 of the Indian
Penal Code and sections 234/252(v) of the Fishery Act 1996.

3. It is alleged that petitioner threw the hazardous
substance of his factory into the pond of the informant Subodh
Mandal, which caused death of all the fishes alive in that pond,
as such, the informant sustained loss of Rs. 2 lakh.

4. It is submitted that no hazardous substance
has been found by the expert of F.S.L., as such the
allegation is completely falsified. It is further submitted that



offence under section 234/252 (v) of Fisheries Act, 1996 is not made out against this petitioner and case of section 429 of IPC, is bailable in nature. Petitioner claims clean antecedent.

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

6. 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 Court of C.J.M Banka in connection with Amarpur P.S. case no 261 of 2014 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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