

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25519 of 2023**

Arising Out of PS. Case No.-526 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Akshey Yadav @ Ghumakra Son Of Prem Singh @ Premchand Singh R/O  
Vill.- Rudrapura, P.S.- Dehri(M), Distt.-ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      17-08-2023                      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 of the Indian Penal Code, Sections 56(1), 56(2) of the Bihar Minerals (Concession of Illegal Mining Transportation and Storage) Rules, 2019 and Sections 33, 41, 42, 52 of the Indian Forest Act.

3. As per the prosecution case, when the police personnel went for patrolling they reached at Village-Wazirganj, then the informant saw that one Mahendra Tractor was coming and after seeing the police party the driver of the tractor fled away after leaving the said tractor, which was loaded with boulder. Thereafter, the said tractor without registration number



was searched and accordingly, seizure list was prepared.

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. He submits that the petitioner is named in the F.I.R. only on the basis of suspicion and except suspicion, there is no direct and indirect allegation levelled against the petitioner. He further submits that the petitioner is neither the owner nor the driver of the alleged tractor having no concern with the loaded boulder on the alleged tractor, which was seized by the informant. Petitioner has one 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, 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 Sasaram (M) P.S. Case No. 526 of 2022,  
subject to the condition as laid down under Section 438 (2) of  
the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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