

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41172 of 2023**

Arising Out of PS. Case No.-145 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

SARBAJEET YADAV S/O TRILOKI YADAV @ TRILOKI R/O Village-
Dewara Turka Chara, P.S- Maharajganj, Distt.- Azamgarh (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420, 467, 468, 471, 379, 411 of the Indian Penal Code and Section 56(1) (2) of the Bihar Mineral illegal mining concession (Prevention of illegal mining, Transportation & Storage) Act.

According to FIR, as alleged Chalan produced by the petitioner for carrying sand by his truck has been found forged and thus, the petitioner created a forged document and used the same. Accordingly, present FIR has been lodged.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. It is



further submitted vide para 9 of the petition that owner of the seized truck, who is co-accused of this case has already deposited the fine amount to the concerned authority which is evident vide letter no. XV-1/1349 dt. 20.5.2023 and in support of this, Annexure-2 has been annexed with this petition. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 3.5.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Kudra P.S. Case No. 145 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Mohania, Kaimur at Bhabhua.

(Sunil Kumar Panwar, J)

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