

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41188 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- RAHUI District- Nalanda

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1. CHANDRAMANI KUMAR son of Brijnandan Yadav Resident of Village-
Makhdumpur PS- Rahui Dist- Nalanda
 2. Sunil Yadav @ Sunil Kumar son of Brijnandan Yadav Resident of Village-
Makhdumpur PS- Rahui Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 379 and
411/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

4. The informant alleges that 32,200 CFT of sand was
found illegally stored at different places and on inquiry the
name of the petitioners transpired.

5. Learned counsel for the petitioners submits that
petitioners have been falsely implicated in the present case. It is
further submitted that the entire allegation hinges around



suspicion and the FIR does not disclose the name of the person who in the inquiry disclosed the name of the petitioners. It is next submitted that such huge quantity of sand if stored illegally cannot be stored without the connivance of the Department of Mines.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Rahui P.S. Case No. 397 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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