

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52663 of 2023**

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

Shobha Singh S/O Jokhan Singh Resident Of T.C.P. Gate, Nagaland Kohima,
At Present- Baradih, P.S.- Nasariganj, 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 CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 23-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Nasariganj P.S. Case No. 161 of 2020 dated 17.09.2020 registered for the offences punishable under Sections 379, 411, 420 read with 34 of the Indian Penal Code and Section 56(1) and 56(2) of the Bihar Illegal Mining Act and 15 of the Environment Protection Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have fraudulently carrying business of illegal transportation of over loaded sand.

5. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner. There is a delay of 7 days in lodging the F.I.R. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 29.08.2023 passed in Cr. Misc. No. 27253 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bikramganj, Rohtas in connection with Nasariganj P.S. Case No. 161 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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