

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49419 of 2023

Arising Out of PS. Case No.-25 Year-2022 Thana- IMADPUR District- Bhojpur

=====

ARVIND PANDEY @ SOPAL PANDEY S/O LATE KAPIL PANDEY R/O
VILLAGE AND P.S.- IMADPUR, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pushkar Narain Shahi, Sr. Adv. Mr. Shivam, Adv.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyaya, APP

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Imadpur P.S. Case No. 25 of 2022, registered for the offences punishable under Sections 379, 411 of the Indian Penal Code and Section 56(1) of Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation of Storage) Amendment Rules, 2021 and Section 15 of Environment Protection Act, 1986.

3. As per allegation, on 26.02.2022 raid for illegal mining was jointly conducted by the informant who is the Mining Inspector along with other officers and during the course of raid, it was found that on Imadpur Sand Ghat Cluster-5 outside the E.C., passage had been created in the river and wet sand was being



extracted with the help of poclain machine. On seeing the police, all the drivers and other persons fled away. Three tractors and two trucks detailed in FIR were seized and brought to the Imadpur Police Station.

4. Learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated. He was not arrested at the spot. There is no allegation against him of illegal excavation of the sand. The only allegation against him is that he was assisting the co-accused persons in the alleged excavation.

5. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Imadpur P.S. Case No. 25 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

