

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49141 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- BIHAR District- Nalanda

Bhola Yadav Son Of Tari Gop Resident Of Village- Nakatpura, P.S.- Bihar,
Dist- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Bihar P.S. Case No. 510 of 2022, registered on 08.07.2022 for the offences under Sections 420, 379, 411/34 of the Indian Penal Code.

3. As per prosecution case, police received secret information about storage of illegally mined sand in village Mohiuddinpur. One of the apprehended persons from the spot disclosed the name of the petitioner and other accused persons who were involved in the illegal mining of sand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. He has no concern with the alleged land or sand kept there. The petitioner is not resident of the village from where recovery has been made. Co-accused Pappu Kumar, whose case is similar to the petitioner, has been granted anticipatory bail by a Co-ordinate Bench vide order dated 14.07.2023 passed in Cr. Misc. No. 29599 of 2023. Nothing incriminating has been found against the petitioner.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that name of the petitioner surfaced in the statement of co-accused and nothing has come on record to connect the petitioner with illegally mined sand, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned court in connection with Bihar P.S. Case No. 510 of 2022, subject to the condition as laid down under Section 438(2) of the Code of



Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative
of the petitioner.

(ii) The petitioner will remain present on
each and every date fixed by the court below,
if so required by the learned trial court.

(Arun Kumar Jha, J)

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