

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50068 of 2023

Arising Out of PS. Case No.-721 Year-2022 Thana- DAUDNAGAR District- Aurangabad

MRITYUNJAY KUMAR YADAV @ MRITYUNJAY KUMAR SON OF
SURESH YADAV RESIDENT OF VILLAGE- MAGAR MEDHIYA, PS-
HASPURA, DIST- AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Shyameshwar Dayal

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

ORAL ORDER

2 16-08-2023 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Daudnagar P.S. Case No. 721 of 2022, registered for the
offences punishable under Sections 379, 304, 337, 338, 411 of
the Indian Penal Code and Section 4, 21 of the Mines and
Minerals (Development and Regulation) Act, 1957 and Sections
11, 18 of Bihar Minerals (Concession, Prevention of Illegal
Mining, Transportation & Storage) Rules, 2019 and Section 56
of Bihar Minerals (Concession, Prevention of Illegal Mining,
Transportation & Storage) Amendment Rules, 2021.

3. As per allegation, the petitioner drove the tractor
loaded with sand rashly and negligently, due to which, the two
sons of the informant namely Rakesh Kumar and Bittu Kumar



got injured. Rakesh Kumar died on the spot and Bittu Kumar was sent to Daudnagar for treatment.

4. The learned counsel for the petitioner has submitted that petitioners are innocent and have falsely been implicated in this case. He is a person of clean antecedent. He is not the owner of the said tractor.

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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad(Bihar) in connection with Daudnagar P.S. Case No. 721 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

6. The petitioner shall remain present physically before the learned court below on each and every date till framing of the charges.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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