

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50534 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- PARAIYA District- Gaya

Mithilesh Kumar @ Mithilesh Yadav, son of Mundrika Yadav, R/O Village-Koshdihra, P.S. Paraiya, Dist. Gaya (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh Mr. Gajendra Kumar Singh Mr. Manish Kumar No.2
For the Opposite Party/s :		Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-08-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code and Section 21 of the M.M. (D & R) Act, 1957.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that four tractors were seized each loaded with 100 CFT of sand and Chaukidar disclosed the name of the petitioner along with other accused involved in illegal mining.
4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is



next submitted that he is not owner of any of the seized tractors and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Shashi Kumar, the learned Judicial Magistrate, 1st Class, Gaya in connection with Paraiya P. S. Case No.216 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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