

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56251 of 2023

Arising Out of PS. Case No.-384 Year-2020 Thana- BELAGANJ District- Gaya

Md. Jakir @ Md. Jakir Mian Son Of Md. Ashik Resident Of Village Bhalua,
Ps Belaganj, Dist Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed the application for grant of anticipatory bail, which was earlier dismissed as withdrawn vide order dated 13.10.2022 passed in Cr. Misc. No. 25266 of 2022. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Belaganj P.S. Case No. 384 of 2020 instituted for the offence under Sections 379, 411 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is a case of illegal excavation and storage of sand for business as a result of which loss of an amount of Rs. 2,79,566/- to the mining.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. Name of the petitioner has come at the instance of local chaukidar.

It is further submitted by learned counsel for the petitioner as well as mentioned in para 14 of the petition that petitioner is ready to deposit one third of the total amount i.e. about Rs. 93,000/- .

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. 93,000/- (Rs. Ninety three thousand) in the concerned mining department.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Belaganj P.S. Case no. 384 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM II, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs.



93,000/- (Ninety three thousand only) by the petitioner in the account of concerned mining department.

The aforesaid payment will be subject to the final adjudication in this case.

(Sunil Kumar Panwar, J)

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