

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55612 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- ROHTAS District- Rohtas

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Vivek Kumar S/O Upendra Singh @ Pohari Yadav R/O Village- Kali Bigha,
P.S- Amjhor, Distt.- Rohtas At Sasaram.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411, 413, 414, 417, 420, 201 of the Indian Penal Code and Section 56(i) 56(ii) of the Bihar Mineral (Concession Prevention of Illegal Mining Transportation and Storage) Rule, 2019 & 15 Environment Protection Act.

3. On secret information about the illegal mining of sand from Chitauli Ghat, informant along with police personnel reached there. During raid, the accused persons left the tractor and fled away after seeing the police party and the local Chowkidar identified this petitioner as one of the person who fled away from the place of occurrence.

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



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that only with a view to save their own skin the informant has lodged the present case against the petitioner. Several similarly situated co-accused persons have been enlarged on bail by a co-ordinate bench of this court and this Court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Rohtas (Amjhore) P.S. Case No. 175 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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