

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57688 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- BODHGAYA District- Gaya

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1. SHYAM SUNDRI DEVI WIFE OF RAJ KUMAR YADAV VILLAGE
TITOIYA PS BODHGAYA DESTRICK GAYA
 2. SATENDRA KUMAR @ SATYENDRA KUMAR SON OF VINOD
YADAV VILLAGE TITOIYA PS BODHGAYA DESTRICK GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code and Section 21/56 of the MM (D&R) Rules & 15 Environment (Protection) Act.

3. Allegedly, petitioners are said to have been indulged in illegal mining of sand.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioner no.1 is owner of the tractor who entrusted her tractor to his driver petitioner no.2 for plying the same on daily basis. Petitioners have been falsely implicated in this case



due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the petitioners have already paid the loss amount to the Mines Department, as mentioned in Annexure 2. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the petitioners have returned the loss amount to the Mines Department, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bodhgaya P.S. Case No. 250 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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