

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63828 of 2023

Arising Out of PS. Case No.-245 Year-2023 Thana- LAXMIPUR District- Jamui

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SANOJ YADAV @ CHHITA YADAV @ CHITA YADAV S/O KARU
YADAV R/O VILLAGE- TARADIH, P.S- GIDHAUR (LAXMIPUR),
DISTRICT- JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Laxmipur (Gidhaur) P.S. Case no. 245 of 2023, registered under sections 147, 341, 323 and 353 of the Indian Penal Code, section 21 of the M.M.D.R. Act and section 56(2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules.

3. As per the prosecution case, the informant states that on having received information about illicit transportation of illegal sand, a raid was conducted and the driver of the tractor who was unloading the sand from his trailer was taken into custody. It is further stated that soon thereafter ten to fifteen other persons including the petitioner herein came at the place of occurrence, entered into a scuffle with the police party,



obstructed them in discharging of their official duty and forcibly got the driver released.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged has taken place. The petitioner is in custody since 17.7.2023 and investigation in the case has concluded.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the petitioner being in custody for more than 4 months since 17.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Laxmipur (Gidhaur) P.S. Case no. 245 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Jamui.

(Partha Sarthy, J)

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