

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66387 of 2023**

Arising Out of PS. Case No.-111 Year-2023 Thana- BABUBARHI District- Madhubani

LALU YADAV son of Ramnath Yadav @ Ramnath Sihmait Village- Ekama
W.No-11, Ps- Laukaha Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-11-2023 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 Section 379, 411 of the Indian Penal Code and Section 56(3) of Bihar Mineral Connection Prevent of Illegal Mining Transportation and Storage Act and Section 15 of Environmental Act .

3. As per prosecution story, allegation against the petitioner is to have engaged in mining of illegal sand from Kamla river and same was carried from alleged truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner has already deposited the loss amount of Rs.30,313/- in the concerned department. He



further submits that no any incriminating article have been recovered from the conscious possession or from the house of the petitioner. 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 Babubarhi P.S. Case No.111 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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