

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66136 of 2022

Arising Out of PS. Case No.-505 Year-2022 Thana- NATHNAGAR District- Bhagalpur

TEJNARAIN MANDAL S/O BASANT MANDAL R/v- Fatehpur, P.S.-
Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 379/411/34 of the IPC and Sections 56(1), 56(2) of BMMC Rule, 2019.

The allegation against the petitioner is that of illegal mining of sand, causing loss of revenue to the Government.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioner. The



name of petitioner transpired in this on the basis that he is the owner of land in which digging of soil was going on but petitioner denied this fact and it is specifically mentioned in para-5 of this application that there is no land in the name of petitioner in the Fatehpur field. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to 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 Nathnagar P.S. Case No.505/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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