

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66966 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- BAHERI District- Darbhanga

MANGAL YADAV SON OF CHALITRA YADAV R/O VILL.- ATHAR
GAIVAL, P.S.- BAHERA, DISTT.- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 10-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379 of the Indian Penal Code and section 11/56 of Bihar Mineral Rule 2019 and section 15 of Environment Protection Act, 1986.

It is alleged that the petitioner was found engaged in cutting away soil through JCB machine from the bank of *Kamla* river and one soil loaded tractor of the petitioner was seized.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have 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 levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is a farmer



having tractor for his agriculture work only. Nothing has been recovered from the possession of the petitioner or from his tractor. He further submits that he has stated in the supplementary affidavit that he contacted the office of mining officer, Darbhanga and Circle Officer, Baheri and he is ready to deposit the loss of revenue amount. Petitioner has three criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory 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/her 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 Baheri P.S. Case No.201 of 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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