

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63778 of 2022**

Arising Out of PS. Case No.-6 Year-2021 Thana- ISHIPUR District- Bhagalpur

Arbind Prasad Sah @ Arbind Prasad S/O Jagarnath Sah Resident Of Village-  
Kirtaniya, P.S.- Pirpainti, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anita Kumari Singh  
For the Opposite Party/s : Mr. Dilip Kumar No. 1

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

2      16-01-2023                      Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 378, 379, 411, 420 of the Indian Penal Code and Section 39 (1), (2), (3), (4), 43, 56(2) of Bihar Mining Rules, 2019.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the allegation under Section 379/411 is not attracted and offences under Bihar Mining Rules are bailable. He further submits that petitioner has criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioner along with other accused persons have committed the offence.

Considering the facts and circumstances of the



case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Ishipur (Barahat) P.S. Case No. 6 of 2021.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

**(Anjani Kumar Sharan, J)**

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