

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71462 of 2023

Arising Out of PS. Case No.-476 Year-2023 Thana- BANKA District- Banka

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Goutam Yadav @ Gautam Yadav @ Gautam Kumar @ Gone Lal @ Gore Son
Of Balmukund Prasad Yadav @ Balmukund Mandal @ Balmiki Yadav Vill-
Meharpur, Ps- Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-12-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Banka P.S Case No. 476 of 2023 dated
11.07.2023 for the offences punishable u/ss 379, 411, 188 of
the Indian Penal Code, 15 NGT Act, Sections 4(i), 21
MMRD Act and Sections 11, 41 and 56(2) of BMCPIMTS
Rule 2021.

4. As per the prosecution case, 60 CFT of sand



was recovered from a truck bearing no registration number on the Kunnauni Ghat and 5 CFT of sand was recovered from a truck bearing no registration number near the Viday Dih Odhni River Balu Ghat.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the name of the petitioner has falsely been implicated on the basis of disclosure made by local persons. Learned counsel has further submitted that petitioner has no concern with the seized vehicle and sand. The petitioner has three criminal antecedents as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Banka in



connection with Banka P.S Case No. 476 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition:

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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