

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75220 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- GURUA District- Gaya

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MOHAN PRASAD, S/O LATE BHAGAWAN PRASAD VILLAGE-
NASER, PS. GURUA, DIST. GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Prem Ranjan Raj, Advocate
For the State : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code, Section 21 of the M.M. (D&R) Act and Rule 56 of the BM (CPIMTS) Rules.

3. As per the prosecution case, this petitioner along with other co-accused persons is indulged in illegal storage of sand.

4. It is submitted by learned counsel for the petitioner that petitioner has been made an accused in this case merely because he is owner of the Dharam Kanta. No incriminating article has been recovered from possession of the petitioner. He is neither the owner nor the driver of the vehicle. Allegation is general and omnibus. Petitioner claims clean antecedent.



5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st, Sherghati at Gaya, in connection with Gurua P.S. Case No.278 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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