

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72058 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- GARHI District- Jamui

Sakaldev Yadav Son Of Dorik Yadav R/O Village- Ojhadih, P.S.- Khaira,
Dist.- Jamui

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 332, 333, 307, 504, 506, 393, 406, 379, 420 of the Indian Penal Code, Section 27 of Arms Act, Section 56(2) of Bihar Minerals (Concessions Prevention of illegal mining Transportation of Storage) Rules 1991, Section 21 of MMDR Act, Section 15 of E.P.

3. The prosecution case in nutshell is that informant received a secret information that certain



individuals were illegally extracting sand from the Bunbuni River bank. Upon arrival, they found that group of individuals extracting sand using a blue-colored tractor. The accused persons confronted the police with sticks and clubs, resulting in injuries to the informant and choukidar. Choukidar identified approximately 15 co-accused persons including the petitioner. Upon inquiry, it was found that, tractor, which was used for illegal mining belongs to the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner and the allegation levelled against the petitioner is general and omnibus. It is further submitted that petitioner is not involved in the alleged offence. Moreover, the petitioner is languishing in judicial custody since 16.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Garhi P.S. Case No. 54 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Jamui.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

