

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72072 of 2022

Arising Out of PS. Case No.-316 Year-2022 Thana- LAXMIPUR District- Jamui

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1. SAHDEO YADAV Son of Khiru Yadav Resident of Village - Dighra, P.S.- Laxmipur, District - Jamui.
 2. Santosh Kumar @ Rahul Kumar Son of Chandar Yadav Resident of Village - Dighra, P.S.- Laxmipur, District - Jamui.
 3. Chhotu Yadav @ Barun Kumar @ Barun Yadav Son of Chandar Yadav Resident of Village - Dighra, P.S.- Laxmipur, District - Jamui.
 4. Arun Yadav Son of Chandar Yadav Resident of Village - Dighra, P.S.- Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 353, 307, 332, 333, 427, 504 and 379/411 of the Indian Penal Code read with Section 3/4 of the Prevention of Damage in Public Property Act, 1984 & MMDR Act 1957 and Section 21 of the Bihar Minerals (Concession Prevention of Illegal Mining Transportation & Storage) Rules, 2019 amended Rules, 2021, Rules 56(2) pending in the learned court below.

Allegation against the petitioners is that they along with others co-accused persons said to have indulged in illegal mining and when police came, they pelted stones over the police



personnel.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that petitioners are never indulged in illegal sand mining. He further submits that the petitioners were identified by the local chowkidar. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Laxmipur/Gidhor P.S. Case No.316 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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