

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9038 of 2023

Arising Out of PS. Case No.-255 Year-2022 Thana- MANSI District- Khagaria

Ghosal Yadav @ Ghoghal Pd. Yadav @ Ghoghal Yadav, S/O Late Hriday
Narayan Yadav, R/O Village- Saidpur, P.S- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 379, 411 of the Indian Penal Code and Section 56(1)(2) of Bihar Mineral Concession Prevention of illegal Mining Transportation of storage Rules 2021, Amendment Act 21(i) (4) M.M.R.D. Act 1957/15 Environment Act Rules 1955.

On the alleged date and time of occurrence, informant seized a tractor without trailer number loaded with 100 cubic feet sand and on demand, no paper was produced by the driver with respect to the seized sand.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village politics and as a matter of fact sand was not stolen property



rather the same was of his own field. So, no case under section 379, 411 of I.P.C is made out against the petitioner.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. case no 255 of 2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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