

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9385 of 2024

Arising Out of PS. Case No.-710 Year-2023 Thana- BELAGANJ District- Gaya

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Pankaj Yadav @ Pankaj Kumar Son of Nandan Yadav @ Madan Kumar Al-
bela R/o vill - Dalelchak, P.S. - Belaganj, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary cum-Principal Secretary, Mines and Geol-
ogy, Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Priya Ranjan
For the Opposite Party/s	:	Mr. Umanath Mishra
For Mines	:	Mr. Naresh
	:	Mr. Brij Bihari Tiwari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 379, 411 of the Indian Penal Code and Section 21 of the Mines and Minerals Development and Regulation Act and Rules 56 of the Bihar Mineral Rules.

3. As per FIR, it is alleged that the petitioner and co-accused persons were indulged in hoarding/storing of illegal trading of sand.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case merely on the basis criminal antecedent. The petitioner has no concern with the alleged occurrence rather he has been dragged in this case only on the basis of disclosure made by villagers, which is not admissible in the eye of law. The recovered sand and place of recovery does not belong to the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 16.11.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Belaganj P.S. Case No. 710 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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