

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10494 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- BELAGANJ District- Gaya

Upendra Yadav @ Upendra Kumar Son of Lalan Yadav Resident of village-
Dalelchak, P.S.-Belaganj, Distt.-Gaya(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Belaganj P.S Case No. 372/2023 dated 13.06.2023 registered for the offence punishable u/s 379 and 411 of the Indian Penal Code and Sections 21 MM(D&R) Act,1957 and 56 BM Rule

3. As per the prosecution case, on seeing police, the petitioner fled away. On search, a JCB and total 21000 CFT of sand were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has two criminal antecedents as stated



in para 3 of the bail petition. Learned counsel has submitted that the petitioner is not the driver and owner of the tractor and JCB. It is further submitted that the petitioner has not been caught on the spot nor anything has been recovered from his possession.

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

6. Considering the aforesaid facts and circumstances of the case as well as the materials available on the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Belaganj P.S Case No. 372/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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