

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10729 of 2024

Arising Out of PS. Case No.-501 Year-2022 Thana- PIRO District- Bhojpur

VIKASH KUMAR @ VIKASH PANDEY @ VIKASH KUMAR PANDEY
S/O- SRI SUNIL PANDEY R/O- VILLAGE- SIKRAUL, P.S.- SIKRAHATA,
DIST.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 353, 323, 307, 504,
506, 386, 387, 379, 120B of the Indian Penal Code and u/s 56(1)
(2) of Bihar Mineral Concession Prevention of Illegal Mining,
Transportation and Storage Amendment Rules, 2021.

3. The allegation against the petitioner is of transportation
of overloading sand in a truck without any valid paper. One
person was apprehended by the police during the course of raid
and he disclosed the name of the petitioner.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific allegation against the petitioner, he has been made accused in the present case only on the basis of confessional statement of the co-accused, who disclosed that the petitioner is the driver of the truck which was being used for transportation of illegal mining. He further submits that the petitioner is only the driver of the vehicle in question and the said vehicle belongs to co-accused Nirala Pandey and he has already been granted anticipatory bail by a co-ordinate Bench of this Court. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection



with Piro P.S. Case No.501 of 2022, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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