

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11071 of 2024

Arising Out of PS. Case No.-89 Year-2022 Thana- LADANIA District- Madhubani

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SHAIENDRA YADAV @ SHAIENDRA KUMAR YADAV S/O-
KUSHESHWAR YADAV R/O- VILLAGE- BELAHI, P.S.- LADANIYA,
DIST.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Ladaniya P.S. Case No. 89 of 2022 registered
for the offences punishable under Sections 379, 411 of the IPC
and 21 (M.M (D and R) Act and 56(2) B.M. (C.P. IMMT and
S) Rules and 15 Environment Protection Act.

3. As per prosecution case, two vehicles:
registration No. BR32GB-4791 and one JCB without
registration no. loaded with illegal sand and one motorcycle
were seized at village Belahi near Munhara river and two
persons were also apprehended at the place of occurrence. It is
further alleged that apprehended co-accused Ram Dular Mandal



disclosed the name of petitioner and other who are said to have engaged in the said occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. It is further been submitted that petitioner is not in any way connected with the vehicles in question which were found at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Except disclosure of apprehended co-accused Ram Dular Mandal, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.



10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Madhubani in connection with Ladaniya P.S. Case No. 89 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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