

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11668 of 2024

Arising Out of PS. Case No.-685 Year-2023 Thana- BELAGANJ District- Gaya

Uday Kumar @ Amit Kumar Son of Surendra Yadav R/o Vill.- Pathara, P.S.-
Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 379, 411 of the Indian Penal Code and Section 21 MM (D&R) Act and Section 56 of BM Rule 2021.

3. Prosecution case is that during course of raid, the informant recovered 10,000/- Cft sand. On inquiry, he got knowledge that the petitioner is indulged in storage of illegal sand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is inimical term between the village Chaukidar and the petitioner, therefore, the village Chaukidar falsely implicated the petitioner in the present case. He submits



that petitioner has no concern with the illegal sand or with the place where the sand were dumping. He further submits that petitioner has criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that illegal storage of sand was being done by the petitioner which has caused loss to the government exchequer.

6. Considering the facts and circumstances of the case and the fact that due to illegal storage of sand there is huge loss of government exchequer, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Belaganj P.S. Case No. 685 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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