

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25139 of 2024

Arising Out of PS. Case No.-865 Year-2023 Thana- AMARPUR District- Banka

Fantoosh Yadav @ Funtush Yadav S/o- Bahadur Yadav Resident of Village-
Madachak, P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dhananjay Pandey, Advocate
For the Opposite Party/s :	Mr. Syed Ehteshamuddin, A.P.P.
	Mr. Naresh Dikshit, Advocate
	Ms. Kalpana, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 05-07-2024 1. Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel appearing on behalf of the
Department of Mines.
2. The petitioner apprehends his arrest in connection with
Amarpur P.S. Case No. 865 of 2023, dated 24.12.2023 registered for
the offences punishable under Sections 379 and 411 of the Indian
Penal Code, Rules 11, 41 and 56(2) of the Bihar Minerals
(Concession, Prevention of Illegal Mining Transportation & Storage)
Rules, 2019 as well as Sections 4(1) and 21 of the Mines and
Minerals (Development and Regulation) Act.
3. At the outset, learned counsel appearing on behalf of
the Department of Mines submits that the offences for which the
instant FIR has been instituted carry punishment of less than seven
years.
4. The said submission of the learned counsel appearing



on behalf of the Department of Mines is not disputed by the learned counsel appearing on behalf of the petitioner.

5. Learned counsel for the petitioner submits that the investigation of the case against the petitioner is still going on, on which learned counsel appearing on behalf of the Department of Mines submits that the anticipatory bail application be disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar).

6. In view of the aforesaid submissions made by the learned counsel appearing on behalf of the Department of Mines, the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

7. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case within a period of three weeks from today with a web copy of the order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024 and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the direction contained in the said order dated 13.02.2024 passed in Cr. Misc. No. 3536 of 2024.

(Satyavrat Verma, J)

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