

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29819 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- DUMARIYA District- Gaya

Nafish Alam @ Nafish Ansari @ Md Nafish Alam Son of Qurban Ansari @
Qurban Miyan Resident of village- Manjhauli, P.S.- Dumariya, District-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2024 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 147, 148, 341, 323, 353, 379, 504 of the Indian Penal Code and Section 33(b)/41 of the Indian Forest Act.

3. Petitioner along with other accused persons are said to have involved in illegal mining of stone chips, which was being done within the area of forest land, causing immense loss to government exchequer as well as damaging the ecosystem of forest.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner is neither the owner nor the



driver of the alleged tractor. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Dumariya P.S. Case No. 123 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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