

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33944 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- POTHIYA District- Kishanganj

Manirul @ Manarul Haque son of Mahtab Ali @ Mahtab Vill- Matiyabhita
Phala Ps- Pothia district- kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 342, 323, 324, 325, 332, 333, 307, 353, 336, 337, 338,
379, and 411 of the Indian Penal Code, Section 21 of M.M.D.R
Act, 1957, Section 56 of Bihar Minerals (Concession Prevention
of illegal mining, Transportation and Storage) Rules 2019 and
Section 15 of Environment (Protection) Act, 1986.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on receiving information about illegal mining, he
along with the police force reached the place of occurrence
when they saw the accused persons fleeing away, leaving behind



their truck, further after 10-15 minutes, a mob gathered and started pelting stones on the informant and the police force causing injury. It is next alleged that the occurrence was videographed and based on the videography, the petitioner was identified.

4. The learned counsel submits that petitioner is not the owner of the truck, which was found at the place of occurrence nor is involved in illegal mining, rather is a person with clean antecedent and resides at a place nearby to the place of occurrence, as such when he heard commotion, out of inquisitiveness, he went to the place of occurrence to see as to why ruckus is being created and this might be a possibility that petitioner also got videographed.

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

6. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Pothia
P.S. Case No. 262 of 2023, subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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