

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31969 of 2024

Arising Out of PS. Case No.-278 Year-2023 Thana- GURUA District- Gaya

1. Kapil Deo Prasad SON OF LATE BHAGWAN PRASAD RESIDENT OF VILLAGE- NASER, P.S.- GURUA, DIST- GAYA(BIHAR)
2. MADHURI DEVI @ MADHURI KUMARI WIFE OF JAGANNATH PRASAD RESIDENT OF VILLAGE- NASER, P.S.- GURUA, DIST- GAYA(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramkishor Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code, Section 21 of the M.M. (D&R) Act and Rule 56 of the BM (CPIMTS) Rules.

3. As per the prosecution case, these petitioners along with other co-accused persons is indulged in illegal storage of sand.

4. It is submitted by learned counsel for the petitioners that the seized sand does not belong to the petitioners. They have been made accused in this case merely because they are the respective owners of the adjoining land around the ‘dharam



kaanta’ where the sand was stored. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, of the case, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1", Sherghati at Gaya, in connection with Gurua P.S. Case No.278 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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