

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33045 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BARHARA District- Bhojpur

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Dhananjai Kumar Singh @ Dhanjay Singh @ Dhananjay Singh Son Of
Nageshwar Singh Resident Of Village - Phuhan, P.S. - Barahara, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.
For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Barahara P.S. Case No. 116 of 2023, registered on 27.02.2023 for the alleged offences under Section 379 and 34 of the Indian Penal Code and Section 56 of BM (CPIMTS) Amendment Rules, 2021.

03. As per prosecution case, the petitioner has been made accused on the allegation of illegal mining of sand.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as the petitioner is a retired army man who objected to illegal mining of sand by some persons and for this reason he has been named in the case. Learned counsel further submits that there is no

material against the petitioner whose name is stated to have transpired in the occurrence on the basis of secret information and on saying of the local people. The allegations are completely vague. The petitioner has no concern with the land where the illegally mined sand was stored and has no concern with the seized sand. The petitioner has no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague nature of allegation with absence of substantive material and further considering possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Bhojpur at Ara in connection with Barahara P.S. Case No. 116 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain

present on each and every date
fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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