

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37213 of 2024

Arising Out of PS. Case No.-30 Year-2022 Thana- NARPATGANJ District- Araria

Mahabir Yadav @ Mahavir Yadav son of Jhaman Yadav Village- Hazari
Dhamna Ward No 13, P S-Chauparan Distt-Hazaribagh

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 379, 427 of the Indian Penal Code, Section 4, 21 of M.M.D.R. Act, 1957, Rule 56 of Minerals and Section 15 of the Environment Protection Act, 1985

It is a case of illegal excavation of sand and soil due to which Government incurred loss of Rs. 15,64,000/-. petitioner is alleged to be the owner of popelane machine found on the spot.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been



implicated in the present case. The popelane machine was hired by co-accused Hazi Israil and his son Talib Ansari for renovation of the pond which was taken on lease from its owner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, similarly situated several co-accused persons have been granted bail by this Court.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 30 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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