

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37300 of 2024

Arising Out of PS. Case No.-54 Year-2023 Thana- GARHI District- Jamui

Chandan Yadav @ Chandan Kumar Yadav Son of Munna Yadav Resident of
Village- Kenduatari,P.S- Charkapathar, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh
For the Opposite Party/s	:	Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Garhi P.s. Case No. 54 of 2023 instituted for the offence under Sections 147, 148, 341, 323, 353, 333, 332, 307, 504, 506, 393, 406, 379, 420 of the Indian Penal Code, section 27 of the Arms Act, Section 65(2) of the Bihar Mineral (Concession Prevention of Illegal Mining Transpiration and storage Rule, 2019 and Amended in 2021 and section 21 of MMDR Act 1957 and section 15 of Environment Protection Act.

3. Allegation against the petitioner along with others is of illegally extraction of sand from the river Bunbuni. Police team reached but the accused persons started assaulting due to



which the informant and chaukidar sustained injury. One blue colour tractor is said to have been seized from place of occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that one tractor loaded with sand was seized but the petitioner is neither owner nor driver of the same. He has falsely been implicated only on disclosure of local chaukidar. Moreover, over co-accused Sakaldev Yadav has already been enlarged on regular bail granted by this Court vide order dt. 8.11.2023 passed in Cr. Misc. No. 72058 of 2023.

5. Learned APP appearing for the state has opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Garhi P.S. Case No. 54 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Jamui subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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