

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47030 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- SANDESH District- Bhojpur

1. Adarsh Kumar Son of Chitranjan Thakur Resident of Village - Ward No.- 2, Janipur, Police Station - Sitamarhi, District - Sitamarhi.
2. Ramprit Sah Son of Bikhari Sah Resident of Village - Hanuman Nagar, Ward No.- 4, Police Station - Belsand, District - Sitamarhi.
3. Shyam Nandan Ray Son of Upendra Ray Resident of Village - Ward No.- 1, Azamgarh, Police Station - Nagwan, District - Sitamarhi.
4. Amrjit Kumar Son of Biraju Ray Resident of Ward No.- 4, Kakshmipur, Police Station - Belsand, District - Sitamarhi.
5. Vijay Sah Son of Ramesar Sah Resident of Village - Ward No.- 4, Azamgarh, Police Station - Nagwan, District - Sitamarhi.
6. Guddu Kumar Son of Vijendra Yadav Resident of Village - Ward No.- 2, Ranjitpur, Police Station - Punaure, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379, 411, 414, 467, 468, 420 and 120B of the Indian Penal Code, Sections 3 and 4 of the Prevention of Damage to Public Property Act, Section 15 of the Environmental Protection Act and Section 192 of the M.V. Act.

3. As per prosecution case, these petitioners are



alleged to be owners and drivers of the trucks which were seized with illegally overloaded sand.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. Though, at this stage, without admitting their guilt, it is submitted that petitioners are ready to deposit a sum of Rs. 50,000/- each before the District Mining Officer, Bhojpur at Ara. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight 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, Bhojpur at Ara, in connection with Sandesh P.S. Case No. 77 of 2024, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure along with a condition that:-

“(i) Petitioners shall deposit a sum of Rs. 50,000/- (Fifty thousand) each before the District Mining Officer, Bhojpur at Ara, and produce a receipt of the same at the time of furnishing bail bond.”

(Prabhat Kumar Singh, J)

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