

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50237 of 2024

Arising Out of PS. Case No.-304 Year-2024 Thana- ARA NAWADA District- Bhojpur

1. Krishna Singh @ Krishan Singh Son Of Ram Sandesh Singh R/O Vill.- Salempur, P.S.- Chandi, District - Bhojpur
2. Prakash Kumar @ Parkash Kumar Son Of Harendra Singh R/O Vill.- Milki, P.S.- Udwantnagar, District - Bhojpur
3. Nageshwar Singh Son Of Ramsandesh Singh R/O Vill.- Salempur, P.S.- Sandesh, District - Bhojpur
4. Brajesh Kumar @ Barjesh Kumar Son Of Nageshwar Singh R/O Vill.- Salempur, P.S.- Sandesh, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar
For the Opposite Party/s :	Mr. Ajeet Kumar
For the Mines Department:	Mr. Naresh Dikshit
	Mrs. Kalpana

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-12-2024 Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for the Mines

Department.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code.

3. As per the prosecution case, the petitioners are accused of committing theft of sand and illegally excavating and transporting it, which caused the loss of Government revenue.

4. Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled



against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners have deposited the loss amount caused to the Government exchequer. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the Mines Department opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that the petitioners have deposited the loss amount caused to the Government exchequer, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Nawada P.S. Case No.304 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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