

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48588 of 2024

Arising Out of PS. Case No.-354 Year-2024 Thana- SONEPUR District- Saran

Neeraj Kumar @ Neroj Kumar Son of Nagendra Rai Resident of Village - Baburwani, Police Station - Sonapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar
Party/s

... .. Opposite

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-08-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sonpur PS case no. 354 of 2024, disclosing offences punishable under Sections 188, 379, 411 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 28.04.2024, while mining officials along with police party were checking the vehicles for the purpose of prevention of illegal mining, transportation and storage of sand near the four lane in front of Brindawan Colony, four vehicles loaded with sand were stopped. The driver of the vehicle was apprehended, who disclosed his name and also disclosed that the petitioner was a liner.
4. Learned Counsel for the petitioner submits that



petitioner has been made accused on the basis of statement of the driver, who was arrested. Learned counsel further submits that the petitioner is not the owner of the vehicle or the sand, which was allegedly being mined illegally.

5. I have heard learned counsel for the parties and gone through the materials on record. It appears that learned 7th Additional Sessions Judge, Saran, after taking into consideration the case diary/ investigation report, has recorded that witnesses have stated during course of investigation that petitioner is a liner and he is having two criminal antecedents of similar nature of offence.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is named in the F.I.R., is having criminal antecedent of similar nature of offence as also considering the fact that illegal mining of sand is rampant in the State of Bihar, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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