

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69488 of 2024

Arising Out of PS. Case No.-710 Year-2023 Thana- BELAGANJ District- Gaya

Nitish Kumar Son of Tetar Yadav Resident of Village- Dalelchak, PS-
Belaganj, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Belaganj P.S. Case No. 710 of 2023 instituted for the
offences under Sections 379 and 411 of the Indian Penal Code
and Section 21 of the M.M.(D&R) Act, 1957 and Rule 56 of the
B.M. Rule, 2021.

3. Prosecution case, in short, is that, the accused
persons including this petitioner are involved in transporting and
selling the sand illegally from the Falgu river, causing loss to the



tune of Rs. 1,96,24,375/- to the revenue of State government.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that the name of the petitioner has surfaced in this case on the basis of disclosure made by the local people and except that, there is nothing against this petitioner. He further submitted that there is no independent witness to support the prosecution case till date. It has been submitted on behalf of the petitioner that the petitioner has eight criminal antecedents and the name of the petitioner has been added with ulterior motive by the police which is apparent from the chronology of the criminal antecedents in Belaganj Police Station. The co-accused person has already been granted regular bail by this Bench vide order dated 22.02.2024 passed in Cr. Misc. No. 6974 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Belaganj P.S. Case No. 710 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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