

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69880 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- IMADPUR District- Bhojpur

1. RENU RAI W/o- Digvijay Rai Village- Khairabri Ps- Khairabari Dist- Ghazipur U.P
2. BHEEMSHAN NARAYAN TIWARI @ BHEESHAM NARAYAN TIWARI
Son of Ram Vihari Tiwari Village- Near Jagjeevan College Lala Colony
w.No-21, Ps- Dehari Dist- Rohtas
3. AJIT KUMAR TIWARY S/o- Dwarika Nath Tiwary Village- Vishnupuri
Syndicate Ps- Buxar Town Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Rai Sharma

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard Mr. Manish Rai Sharma, learned counsel for the
petitioners as well as Mr. Dilip Kumar No.1, learned APP for the
State.

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

3. As per the FIR, three illegal sand loaded trucks were
intercepted by the informant, however the drivers of the said
trucks escaped from the spot. The petitioners are the owners of
the said three trucks.

4. It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. It is further submitted that the petitioners tried to deposit the fine amount or compound money before the Mines Department but officials asked them to bring Court order. The petitioners are ready to deposit fine or compound money of the sand which was found on the trucks i.e. 1200 CFT sand. It is further submitted that in the report of the Mining Officer it is clearly stated that the case is not registered under Section 56 of the Mines Act, hence he is unable to receive the compounding amount because the case is registered under IPC. Petitioners have no criminal antecedent.

6. Petitioners are agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) each in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

7. Learned APP for the State opposed the prayer for anticipatory bail.

8. Having regard to the facts and circumstances of the case, 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 court below where the case is pending/Successor Court in connection with Imadpur P.S. Case No.26 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. However, the bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of aforesaid in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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