

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.73443 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- ROH District- Nawada

Azad Yadav @ Aazad Yadav Son of Arjun Yadav R/O Vill.- Manpur, P.S.- Roh, Dist.- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 12-11-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Roh Police Station Case No. 228 of 2024, dated 29.07.2024, dated 14.07.2022, disclosing offences punishable under Sections 303 (2)/317 (2)/317 (4)/111/3 (5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that the police raided the place of occurrence, where illegal mining of sand was being done. From the satellite co-ordinate, it was found that about 45,423 CFT sand was already extracted from that place. It has further been



alleged that when the police proceeded towards Dirmobara to Sundara road, the police found about 7000 CFT sand stored by the side of the road.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the name of the petitioner transpired in this case merely on suspicion as nobody has seen him either extracting sand from the river or storing the illegally extracted sand by the side of the road. He further submits that the petitioner has got no concern with the alleged extracted illegal sand.
5. On the other hand, learned Counsel for the State vehemently opposes the prayer for anticipatory bail and submits that the petitioner is the active member of the gang, involved in the illegal extraction of sand and the petitioner has got criminal antecedents of similar nature of offences.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner has got criminal antecedents of similar nature of offence, I am not inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

