

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78640 of 2024

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

Akhilesh Kumar @ Akhilesh Yadav Son of Bhuneshwar Yadav Resident of
Village- Manpur, P.S.- Roh, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-12-2024 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,
disclosing offences under Sections 303(2), 317(2), 317(4), 111,
3(5) of the BNS.

3. As per the FIR, on 29.07.2024 at about 12.05 hours
when the informant proceeded with other police personnel and
reached the sand mines at village Tajpur, he saw that sand was
being illegally mined by sand mafias and they have constructed
road illegally for this purpose. When he reached the banks of the
river, he saw that about 45423 cft. sand was illegally mined
from that spot. On inquiry, the above named petitioner has been
named along with 4-5 unknown persons who has formed a gang



and operated as a syndicate of illegal sand mining and theft and storage of the sand. He has also found 70 trailers sand on the road leading from Tajpur sand ghat towards Sundara.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of suspicion. Neither the petitioner was present at the place of occurrence nor any document has been found at the place of occurrence to prove petitioner's presence. No legal material has surfaced against the petitioner during the course of investigation.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having five criminal antecedents which prima facie shows that the petitioner is engaged in an organized crime of illegal mining of sand from the sand ghat causing huge loss to the government exchequer, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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