

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84776 of 2024**

Arising Out of PS. Case No.-67 Year-2024 Thana- AZIMABAD District- Bhojpur

Vicky Ray @ Vicky Kumar S/O Vishwanath Singh R/O vill. - Phulari, P.S – Sandesh, District- Bhojpur. ... .. Petitioner/s

Versus

1. The State of Bihar
2. The Mining Officer, Bhojpur at Ara Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                  |
|----------------------------|----------------------------------|
| For the Petitioner/s :     | Mr. Akash Kumar Mishra, Advocate |
| For the Opposite Party/s : | Mr. Dilip Kumar No.1, APP        |
| For the Mines Department : | Mr. Nresh Dikshit, Advocate      |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      17-12-2024      Heard Mr. Akash Kumar Mishra, learned counsel for the petitioner, Mr. Naresh Dikshit, learned counsel for the Mines Department and Mr. Dilip Kumar No.1, learned A.P.P. for the State

2. The petitioner apprehends his arrest in Azimabad P.S. Case No. 67 of 2024 registered for the offences punishable under Section 303 (2) of the B.N.S. and Section 56 (1) and (2) of the C.P.I.M.T.S. Rules.

3. The petitioner in association of other co-accused is said to have stocked 1800 C.F.T. of Sone sand illegally causing loss to the State revenue.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty local politics. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is not involved in the business of buying and selling of sand. The place where the alleged sand has been stocked does not belong to the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned counsel for the Mines and the learned APP for the State vehemently opposing the bail petition submitted that the petitioner is involved in illegal business of sand causing loss to the State exchequer. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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