

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3051 of 2024

Arising Out of PS. Case No.-469 Year-2023 Thana- BUXAR District- Buxar

RAJESH KUMAR YADAV Son of Arun Kumar Yadav Resident of Village -
Sohaon, P.S. - Narahi, District - Ballia, (Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. BIHAR STATE MINING CORPORATION LTD., PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Buxar Town P.S. Case No. 469 of 2023, registered for the offences punishable under Sections 379, 353, 323, 332, 379, 427 of the Indian Penal Code read with Section 56 (2) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Rules, 2019.

3. As per allegation, on 29.08.2023 at Transport Check Post, a truck was stopped on suspicion of overloading. Thereafter, it was taken to weighbridge for weighing and the total weight of alleged truck including the loaded sand was about 52.21 ton. The truck was sent to the premises of District Commandant, Buxar



along with two home guards and on the way the driver of the truck took turn and fled away.

4. Learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated. He was not present at the spot. He has been implicated merely because he is owner of the truck which was intercepted by the police and was found overloaded with sand.

5. Considering these facts and circumstances especially the fact that the petitioner is a person of clean antecedent, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar Town P.S. Case No. 469 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

6. The learned court below shall verify the criminal antecedent of the petitioner and if it is found that he is involved in any other case except the present one, his bail bond shall be liable to be cancelled.

(Nawneet Kumar Pandey, J)

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