

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26419 of 2025

Arising Out of PS. Case No.-86 Year-2019 Thana- BARUN District- Aurangabad

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Birendra Kumar @ Birendra Yadav S/o- Ram Ashray Singh Resident of
village- Teri Pokhraha PS- Barun District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary cum Mines Commissioner and Geology Dept. Govt.
of Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Mishra, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 307, 323, 353, 333, 379,
420, 411, 504, 506, 427, 341, 147, 149 and 186 of the Indian
Penal Code, Sections 4 and 40 of the Bihar Minor Mineral
Concession Rules and Section 15 of Environment Protection
Act.

3. The prosecution case, in brief, is that when the
informant along with other police officers reached near the
house of Bhola Singh, some 200 persons assembled there and
when they tried to stop the lifting of sand, then all the accused
persons started throwing stone pieces upon the police party.



4. It is submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. The FIR has been lodged against 19 named and 150 unknown persons. Petitioner is said to have been identified in the light of torch and the vehicle light. There is general and omnibus allegation and no specific allegation has been levelled against him. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Barun P. S. Case No. 86 of 2019, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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