

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46450 of 2025

Arising Out of PS. Case No.-309 Year-2022 Thana- SURYAGARHA District- Lakhisarai

Dibakar Yadav S/o Devendra Prasad Yadav R/v- Vijwanpar, P.S.- Deepnagar,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-07-2025 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 Surajgarha Police Station Case No. 309 of 2022, dated 13.10.2022, disclosing offences under Sections 279/338/307/427/379/411 of the Indian Penal Code, Section 12 MMDR Act, 1957, and Rule 56(2) of the BM (CIPMTS) Amendment Rule, 2021.
3. The prosecution case, as per the First Information Report, is that on 13.10.2022, at about 06:00 PM, during the vehicle checking under illegal mining/transportation, a truck was signaled to stopped. On seeing the police party, the driver, in order to flee away, dashed another truck. Thereafter, the truck, bearing Registration No. BR-21R-



0911, was intercepted which was loaded with sand. Upon enquiry, the driver disclosed his name as Prem Kumar, who produced some documents/challans, however, on inspection the same was found to be not genuine. Subsequently, the truck, along with illegal sand, was seized and the driver was apprehended.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired during course of investigation. The petitioner has falsely been implicated in the present case merely on the basis of suspicion and ill motive. She next submits that the petitioner is not the owner of the truck, in question, and the same is registered in the name of Sita Ram Kumar, as would be evident from Annexure-2. She further submits that the petitioner has no connection with the seized truck and/or illegal sand.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the truck, in question, was loaded with illegal sand, it appears that during course of investigation the police has found the case true against the petitioner. Illegal sand mining and transportation are rampant and persistent issue in



Bihar affecting the environment, public safety and State's revenue. The petitioner approached this Court after a delay of about three years from the date of lodging of the FIR, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected

(Anil Kumar Sinha, J)

ashwani/-

U			
---	--	--	--

