

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51976 of 2024

Arising Out of PS. Case No.-475 Year-2023 Thana- KHIJARSARAI District- Gaya

Dhirendra Yadav @ Dhirendra Prasad Yadav Son of Suresh Yadav R/O Vill.-
Prem Bigha, P.S.- Belaganj, Dist.- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Additional Chief Secretary, Bihar Mines and Minerals Department,
Bihar, Patna Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Priya Ranjan, Advocate
For the State	:	Mr. Murli Dhar, APP
For Opposite Party No.2	:	Mr. Naresh Dikshit, Advocate Mr. Brij Bihari Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 06-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code, Sections 21 and 56 of the M.M. (D&R) Act and Rule 56 of the B.M. (CPIMTS) Amendment Rules.

3. The prosecution case, in brief, is that on 14.12.2023 at about 3:30 PM informant received a secret information that 3-4 tractors are extracting sand from *Falgu* river. Upon raid, one *Pulsar* motorcycle, one *Jugar Gadi* and 30 CFT sand which was loaded on the motorcycle were seized. Petitioner is registered owner of the seized motorcycle in question.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case merely because he happens to be registered owner of the motorcycle in question. However, at this stage, without admitting his guilt, petitioner is ready to deposit the alleged amount of revenue loss amounting to Rs. 15,000/- (Rupees fifteen thousand only) before the District Mining Officer, Gaya.

5. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

6. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Judicial Magistrate 1st Class, Gaya in connection with Khizarsarai P.S. Case No. 475 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

- A. Petitioner shall deposit a sum of Rs. 15,000/- (Fifteen thousand rupees) before the District Mining Officer, Gaya and produce a receipt of the same at the time of furnishing



bail bond.

B. The aforesaid payment shall be subject to the final outcome of the case.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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