

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48186 of 2025

Arising Out of PS. Case No.-401 Year-2022 Thana- RAJAON District- Banka

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Bibhash Yadav Son of Bateshwar Yadav Resident of Village - Dayalpur, P.S.-
Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and Md.

Mushtaque Alam, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code and MMRD Act, 1957 Rule (4) BMC PIMTS and Rule 2019, 11, 41(2) and 15 NGT Act, 2010.

3. The case of the prosecution is that police has reached a place and found that certain persons were committing theft of sand of Chaandan river. They started fleeing away seeing the police. Two drivers, Chandan Yadav and Ram Baran Yadav were there.

4. Learned counsel for the petitioner has submitted that the name of this petitioner has surfaced during investigation where it has been found that he is also indulged in illegal excavation of the sand from Chaandan river. Learned counsel



has further submitted that nothing has been recovered from the possession of this petitioner and his name has been framed in this case due to his criminal antecedents. The petitioner is having criminal antecedent of three cases. The petitioner is in judicial custody since 25.04.2025.

5. Learned APP for the State has vehemently opposed the bail and conceded that the petitioner is having criminal antecedents.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajoun P.S. Case No. 401 of 2022 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, Banka.

(Ashok Kumar Pandey, J)

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