

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47767 of 2025

Arising Out of PS. Case No.-209 Year-2024 Thana- FATUA District- Patna

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1. Sanjay Kumar Son of Narsingh Ram village- Muzaffarpur, Ps- Noorsarai, Dist- Nalanda
 2. Pappu Yadav Son of Devendra singh village- Shivchak, Ps- Fatuha, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Kamlesh Kumar, Advocate Ms. Kahkashan Alam, Advocate
For the State	:	Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, it is alleged that Petitioner No. 1 is owner and Petitioner No. 2 is driver of the seized *Hyva* truck which was loaded with 27500 cubic ft. of illegally mined soil.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Petitioner have falsely been implicated in this case merely because they happen to be owner



and driver of the seized truck. As a matter of fact, petitioner used to rent his truck to contractors and was not aware of the nature of consignment and has got no concern with the alleged loaded soil. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of accusation and the fact that petitioners have got no criminal antecedents, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Patna City in connection with Fatuha P.S. Case No. 209 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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