

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 76502 of 2025

Arising Out of PS. Case No.-501 Year-2024 Thana- PAKARIBARAW District- Nawada

Manoj Yadav @ Manoj Kumar @ Manoj Prasad S/o Late Sadhu Sharan Singh
@ Kamta Yadav Resident of Village- Chakwai/ Masankahama, P.S.-
Warisaliganj, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR JUSTICE AJIT KUMAR

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2 The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 303 (2), 317 (2) of the BNS, 2023.

3 The prosecution case is that on 11.11.2024 at about 10.05 hours, when the informant along with other police officials were on patrolling duty, they received secret information that one tractor with illegal sand was coming from Warisaliganj to Pakaribarawan and when they reached at village Devadha, they saw one tractor and trailer loaded with sand. On seeing the police, the driver managed to escape and on search of the tractor, 10 cft of sand was found on it.



4 Learned counsel for the petitioner submits that for an allegation of having found the petitioner's tractor indulged in carrying sand to the tune of 10 Cft, which is said to have been seized, the instant first information report is registered. It has next been submitted that the petitioner has a valid challan for transporting sand which is appended in the bail petition as Annexure-P/2 and for ulterior reasons, this petitioner has been made an escape goat.

5 Considering the aforesaid facts, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

6 Let the petitioner abovenamed, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of this order, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of ACJM II, Nawada in Pakaribarwan PS Case No 501 of 2024 subject to all conditions as laid down in Section 482 of the BNSS, 2023 and also the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) The petitioner shall appear on



each and every date before the trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the trial Court itself;

(iii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds; and

(iv) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

7 This application is allowed.

(Ajit Kumar, J)

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