

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84979 of 2024

Arising Out of PS. Case No.-110 Year-2023 Thana- IMADPUR District- Bhojpur

Chandan Tiwari S/o Bhim Tiwary R/o Village- Bihta, P.S.- Imadpur, District-
Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Chandan Kumar, Advocate

For the State : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-03-2025 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 and Sections 56(1)(2), 11 and 39(1) of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation and Storage) Rules, 2021.

3. The prosecution case, in brief, is that on 02.11.2023 at about 6 AM, informant got secret information regarding illegal mining of sand and on this, informant conducted a raid at Bihta Balu Ghat and seized two trucks loaded with illegally mined sand. Local *Chawkidar* disclosed the name of this petitioner.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question and has falsely been implicated in this case merely on suspicion. Petitioner is a daily wager engaged in loading of sand and has got no concern with illegally stored sand. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. 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, Bhojpur at Ara in connection with Imadpur P.S. Case No. 110 of 2023, subject to condition as laid down under Section 482(2) of the



B.N.S.S..

(Prabhat Kumar Singh, J)

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