

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37364 of 2015

Arising Out of PS.Case No. -251 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Rajnish Kumar @ Hariom Singh Son of Sri Krishna Singh
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-09-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 337, 338, 307, 420, 120B of the Indian Penal Code, 27 of the Arms Act, 33/41/42 of the Indian Forest Act, section 4 (1),(1A) of the Mines and Minerals (Development and Regulation) Act and Rule 40(1) of the Bihar Mines and Minerals Concession Rules.

The prosecution case is that on the basis of information of illegal mining by several persons, a raid was laid when the mob of 400-500 people attacked the police force and resorted firing, caused injuries to several police personnel leading to registration of FIR against 26 named and 400-500

unknown. Subsequently, the petitioner's motorcycle was recovered from the place of occurrence.

It is submitted by learned counsel for the petitioner that only on suspicion, the accusation has been levelled and neither the petitioner has crusher machine nor any recovery has been made from the petitioner, But since the petitioner escaped from the scene, leaving his motorcycle when the stones were pelted by the mob, he has been roped in the present case. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Dehri (Nagar) P.S. Case No.251 of 2015, pending before the learned SDJM, Dehri, Rohtas.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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