

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51127 of 2016

Arising Out of PS.Case No. -126 Year- 2016 Thana -HISUA District- NAWADA

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Himanshu Kumar, Son of Gorelal Singh, resident of Village- Bhadseni,
P.S.: Hisua, District:- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hansraj, Advocate.

For the Opposite Party : Mr. Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Hisua P.S. Case No. 126 of 2016 for the offences instituted under Sections 147, 148, 341, 323, 427, 384, 353, 379, 504, 506 of the IPC, 27 of the Arms Act, 40 of the Bihar Minor Mineral Concession Rule, 1972 and Section 8 of Bihar Mineral Illegal Mining Transportation Storage Rule, 2003.

The prosecution story, in brief, is that the informant caught four tractors with loaded sand and a driver. The driver disclosed his name as Ranjay Kumar and told that he works as driver of tractor of Sanjay Singh and carries sand and supplies the same to the customers. As soon as the informant proceeded with



the seized tractors to the police station, FIR named accused persons alongwith 50-60 unknown blocked the road by bricks and straw and began to make pressure upon the informant to leave free the tractors and driver. On protest, the accused persons became violent and began to brick-bat and firing on the police party. Thereafter, the police party also fired upon the crowd. The accused forcibly took the tractors to their village. Then the informant alongwith the police party returned to the police station and brought the injured police constable to the hospital.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. Altogether 19 persons are named in the FIR including the petitioner. No specific allegation has been made against him.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Hisua P.S. Case No. 126/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

